



CANADA

Debates of the Senate

1st SESSION

•

38th PARLIAMENT

•

VOLUME 142

•

NUMBER 66

OFFICIAL REPORT
(HANSARD)

Thursday, June 2, 2005



THE HONOURABLE DANIEL HAYS
SPEAKER

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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, June 2, 2005

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

THE SENATE

PROCLAMATION OF CONFLICT OF INTEREST RULES

Hon. Jack Austin (Leader of the Government): Honourable senators, following the adoption by this chamber of our conflict of interest rules last month, I am now able to advise as to the implementation by the Governor-in-Council of the provisions of Bill C-4, to amend the Parliament of Canada Act. All provisions in the bill in respect of the Ethics Commissioner for members of the House of Commons came into force on May 17, 2004.

All provisions relating to the Senate Ethics Officer came into force on February 25, 2005. As of that date, the only provisions of Bill C-4 that were not in effect were: (a) the provision repealing sections 14 and 15 of the Parliament of Canada Act, which in effect set out prohibitions regarding senators benefiting from or being parties to contracts with the Government of Canada; and (b) the provision repealing sections 34 to 40, which are equivalent provisions prohibiting members of the House of Commons from being parties to or benefiting from contracts with the Government of Canada.

I am pleased to advise that on June 1, 2005, the Governor-in-Council brought these remaining provisions into force, with the effect that the code of conduct or conflict of interest rules, as adopted by the Senate and the House of Commons respectively, are now in force in place of those provisions of the Parliament of Canada Act. At the risk of stating the obvious, I should add that the provisions repealing sections 14 and 15 and 34 to 40 of the Parliament of Canada Act were based on the recommendations of the 1997 all-party Oliver-Milliken report.

Honourable senators, we should all offer our congratulations to our colleague Senator Oliver whose work has contributed so much to the changes that have now been made.

Hon. Senators: Here, here!

CANADA COUNCIL FOR THE ARTS

REPRESENTATION OF VISIBLE MINORITIES ON BOARD

Hon. Donald H. Oliver: Honourable senators, the Canada Council for the Arts is a national arm's-length agency created by an act of Parliament in 1957 to "foster and promote the study and enjoyment of, and the production of artistic work in Canada." It

also has a specific mandate to "encourage the engagement of visible minority, Aboriginal and immigrant Canadians in the arts labour force."

Honourable senators, as of February 18, 2005, no visible minority Canadians sit on the board of the Canada Council for the Arts. This is a shocking fact that was revealed to me when I received and read a copy of the letter that was sent to the Minister of Canadian Heritage, the Honourable Liza Frulla, from Dr. George Elliot Clarke, E.J. Pratt Professor of Canadian Literature and a former member of the board of the Canadian Council of the Arts from 2003. In his letter to Minister Frulla, dated May 25, Dr. Clarke said that the Canada Council for the Arts "must reflect the multiracial and multicultural nature of our country." He urged the minister to "correct this regrettable lack of representation at once."

Honourable senators, the fact that there are no visible minorities on the board of directors of an institution that is meant to encourage and engage Canadians of colour in the artistic process is not just "regrettable," it is shameful. How can a national agency with an explicit mandate to "sustain and promote arts organizations dedicated to cultural diversity" have no visible minorities on its board of directors?

Consider these facts: According to the Canada Council for the Arts' website, there are approximately "11,000 full-time visible minority artists in Canada who spend more time at their art than any other occupation." Just 8.9 per cent of those considered "artists" are visible minorities — and they earn 11 per cent less than their white peers. However, there "were 74 per cent more visible minority artists in 2001 than in 1991."

Honourable senators, let me conclude by quoting from a June 2004 report from the Canada Council's Advisory Committee for Racial Equality in the Arts, which said that "the promotion of policies on cultural diversity depends on a profound understanding of the value of equity and diversity to Canadian society as it is, and as it aspires to be."

Honourable senators, I could not agree more. Who better to understand the concerns of Canada's minority communities than visible minorities in actual positions of power who could sit on the board of directors of the Canada Council? The Canada Council for the Arts' lack of representation is an embarrassment. I strongly urge the Minister of Canadian Heritage to act now.

PARTNERS FOR A GREEN HILL

CONGRATULATIONS ON RECEIVING CANADIAN COUNCIL OF MINISTERS OF THE ENVIRONMENT POLLUTION PREVENTION AWARD

Hon. George J. Furey: Honourable senators, as you know, the Senate's environmental program has grown significantly since the Standing Committee on Internal Economy, Budgets and Administration adopted the environmental policy of the Senate in 1993.

In January 2004, the Clerk of the Senate took our program to another level when he signed a memorandum of understanding with the House of Commons, the Library of Parliament, and Public Works and Government Services Canada for the environmental management of Parliament Hill. The new environmental program was called “Partners for a Green Hill — Preserving our Past, Protecting our Future.”

Since then, the Partners for a Green Hill have been cooperating on promoting the four Rs on the Hill and applying the sound environmental principles of Reducing, Reusing, Recycling, and Rethinking to programs in waste management, green procurement, building management, transportation, communications and a variety of environmental activities.

In recognition of our joint efforts, on June 1, 2005, the Partners for a Green Hill received a Pollution Prevention Award from the Canadian Council of Ministers of the Environment. The Senate and its partners were recognized as national leaders in the category of “Overall Prevention Efforts — Institution” for three projects: the Eco-Logo Certification of Printing Services, Green Procurement Policies, and the Paper Towel Composting Program.

As part of the award, the partners received a specially designed award and logo that we are entitled to use in our communications, signifying our prestigious status as a CCME Pollution Prevention Award winner.

- (1340)

A great deal of work and dedication was required of Senate and Hill employees at all levels to obtain the CCME award. Recognition from the Canadian Council of Ministers of the Environment for our efforts is a source of great pride to us all.

[Translation]

Congratulations to all those who were instrumental in our winning this award. Let us hope it will encourage us to continue our efforts to make Parliament Hill, and our entire country, a healthier and cleaner place to be.

[English]

I would like to join other senators who have congratulated former Prime Minister Brian Mulroney for his environmental achievements while in office and for his recent recognition by *Corporate Knights* magazine.

CHINA

SIXTEENTH ANNIVERSARY OF TIANANMEN SQUARE MASSACRE

Hon. Consiglio Di Nino: Honourable senators, Saturday is the solemn anniversary of the Tiananmen Square massacre where thousands of Chinese people, mainly students, were murdered for demonstrating for democratic and fundamental rights and freedoms — freedoms that Canadians take for granted. It has been 16 years since that dark day in history, but time has not

diminished the courage, passion and purpose of that uprising by thousands of courageous Chinese, mostly young men and women.

I stand here once again to tell Canadians that I believe the passion for fundamental freedoms and basic human rights in China is still very much alive. Unfortunately, the winds of change for rights and freedoms in China have been slow in coming. The Chinese government still bullies Taiwan, denies basic rights to Tibetans, supplies arms to rogue nations, and denies religious freedoms and fundamental rights to its citizens.

In memory of the men and women who on that fateful night paid the ultimate price, and for all those who continue to struggle against tyranny, we must shine a bright light on the injustices still occurring in China and, indeed, the world. It is in this spirit that I rise to draw your attention once again to those horrendous and reprehensible actions of the Chinese government on that fatal night of June 4, 1989. Honourable senators, we must not allow the sacrifices of so many brave people to be in vain.

ROUTINE PROCEEDINGS

QUALITY END-OF-LIFE CARE

PROGRESS REPORT TABLED

Hon. Sharon Carstairs: Honourable senators, with leave, I would like to table a report called *Still Not There. Quality End-of-Life Care: A Progress Report*, which will be the subject of my inquiry on that matter later today.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

PARLIAMENTARY DELEGATION TO MEXICO

APRIL 27-29, 2005—REPORT TABLED

Hon. Daniel Hays: Honourable senators, I request leave to table a report relating to a trip to Mexico City, from April 27 to 29, 2005, to represent the Government of Canada at the annual Canadian Chamber of Commerce in Mexico Day 2005 (Cancham Day).

Hon. Tommy Banks (The Hon. the Acting Speaker): Is leave granted, honourable senators?

Hon. Senators: Agreed.

[Translation]

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR THE REGIONS OF QUEBEC BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-9, to establish the Economic Development Agency of Canada for the Regions of Quebec.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Rompkey, bill placed on the Orders of the Day for second reading two days hence.

[English]

DEPARTMENT OF HUMAN RESOURCES AND SKILLS DEVELOPMENT BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-23, to establish the Department of Human Resources and Skills Development and to amend and repeal certain related acts.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Carstairs, bill placed on the Orders of the Day for second reading two days hence.

QUESTION PERIOD

THE SENATE

LEADER OF THE GOVERNMENT—
MEMBER FOR NEWTON—NORTH DELTA
AS POSSIBLE SUCCESSOR

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, my question is directed to the Leader of the Government in the Senate. We have learned from the Grewal tapes that the Prime Minister's Office was lining up a replacement for the senatorial seat of the Leader of the Government in the Senate even before the seat was cold. As a matter of fact, the tape measures were out to measure for size.

As the political minister for British Columbia, can the leader tell the Senate whether he was consulted about the senatorial seat during the vote-buying consultations with the Prime Minister's chief of staff and the Minister of Health?

Hon. Jack Austin (Leader of the Government): Honourable senators, I did note in the media a reference of that kind to me, and I found it quite amusing.

FISHERIES AND OCEANS

PLAN TO CUT FISHERIES OFFICER
AND HABITAT MANAGEMENT POSITIONS

Hon. Gerald J. Comeau: Honourable senators, my question is also directed to the minister — the present minister. It has been reported that DFO, under the modernization compliance initiative, which is one of the programs under program

review, plans to cut 80 fisheries officer positions and 42 habitat management positions. Would the minister confirm whether this is in fact the government's plan and whether the government has assessed what impact this might have on the protection of fish habitat?

Hon. Jack Austin (Leader of the Government): Honourable senators, I am not in a position to give a specific response at this time, but I will certainly pursue the information that Senator Comeau has asked for.

HUMAN RESOURCES DEVELOPMENT

STOLEN COMPUTER INFORMATION—
POSSIBILITY OF IDENTITY THEFT

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate and deals with the subject of identity theft. Last week, several thousand Canadians received letters advising them that a computer containing information including their names, social insurance numbers, dates of birth and rates of pay had been stolen. The equipment was taken on the night of May 2 from the PBAS Group of Companies in Winnipeg, a firm that administers benefit plans for organizations across this country. There is a very serious danger that the computer was stolen with a view to identity theft.

• (1350)

These employees were told in a letter to inform Human Resources Development Canada that their social insurance number may have been stolen and to contact two credit bureaus, Equifax and TransUnion, to place an alert notice on their credit files. PBAS itself could not alert either the credit bureaus or HRDC because of privacy laws.

Is the government concerned, first, that it took three weeks to notify those whose personal data may be at risk; second, that in the case of former employees whose future pensions are managed by the company the address on file may not even be accurate; and, third, that there is no legislative requirement that these individuals even be notified?

Hon. Jack Austin (Leader of the Government): Honourable senators, with respect to the first part of the question, all of us will recall the interest that Senator Atkins took in a similar circumstance of identity theft based on a major program presentation by *W5*, a television news feature.

The issue is one of concern to the government. I cannot tell the honourable senator at this time whether the government has been asked by citizens to deal with a legislative program or even what desirable steps should be taken.

Identity theft is a tremendously serious problem for individuals, as they can lose their livelihood and assets. I would welcome a further inquiry in this chamber with respect to this issue. I am aware of at least one person who went through this torture and

found it completely upsetting to re-establish credit and to fend off demands of various kinds from people who thought they were dealing with this person.

I thank Senator Oliver for bringing this issue to us. I would welcome interest in the chamber to pursue the matter.

Senator Oliver: I thank the honourable leader for his encouraging response.

Another public policy issue arises from this type of problem. How is someone notified that their social insurance number may have been stolen? We are told that when people tried the 1-800 number for HRDC, they received a maze of messages, such as “try the next number” or “wait for somebody else.” They could not get through to notify someone that their social insurance number may have been stolen.

As a matter of public policy, before the identity theft can really cause serious financial or other harm there must be a better way than a 1-800 number. People need to be notified in an immediate way that this problem has occurred.

Senator Austin: As an opinion, which is probably not well informed, I would think that in a circumstance such as this a department would have notice from the media of what had taken place and could set up a critical call centre. Those people affected by the theft would be given a number to call if they were concerned by these events. In that way these calls would not stream into the general inquiry number of the department. I will certainly make available to the Minister of Human Resources both the question of Senator Oliver and my speculative answer.

HEALTH

PHARMACEUTICAL INDUSTRY—CROSS-BORDER SALES—GOVERNMENT POLICY ON FOREIGN PURCHASE OF PRESCRIPTION DRUGS

Hon. Marjory LeBreton: Honourable senators, my question is for the Leader of the Government in the Senate. The United States House of Representatives is expected to soon pass a bill that will legalize the re-importation of prescription medications into their country. As we well know, this has been an issue of some contention on both sides of the border for some time.

The legislation currently being debated will allow American pharmacists and wholesalers to import pharmaceuticals from Canada and other countries under certain circumstances. Although it is impossible to know what will happen in the future, this legislation could dramatically increase bulk export of drugs from Canada to the United States.

Could the Leader of the Government in the Senate tell us whether the federal government has adopted a policy on this matter and, more specifically, what it will do to ensure that our drug supply will not incur shortages if this legislation is approved by the United States Congress?

Hon. Jack Austin (Leader of the Government): The Minister of Health, the Honourable Ujjal Dosanjh, has made it clear in public statements that his first priority is to defend the availability of prescription medicine to Canadians and that all steps will be taken to ensure that the supply is adequate for Canadian requirements.

Minister Dosanjh has expressed a good deal of concern about the Internet pharmacy business in terms of the security of the supply of drugs to Canadians, and there is an ongoing study with respect to this impact. I am sure Senator LeBreton is also aware that the Internet pharmacy business is making strenuous representations. Thousands are now employed by that business, many of them in Manitoba and British Columbia.

The issue is being carefully watched, but the prime public policy is to ensure that Canadians have the normal and adequate supply of these drugs to which they are accustomed.

Senator LeBreton: The Minister of Health said recently that the federal government had not yet articulated its position and that the Department of Health was still in the process of developing and analyzing its options.

In view of recent events in the United States, when can we expect the Department of Health to come forward with a definitive policy in anticipation of this legislation being passed?

Senator Austin: Honourable senators, in response to the question, I will say that I am not entirely sure. However, I do know there is current policy work ongoing in the Department of Health. There is no question in my mind that we would have a response were the facts to indicate that there had been an immediate drawdown of Canadian drugs to the jeopardy of the public community.

Hon. David Tkachuk: Honourable senators, right now we have separate Canadian and American markets. Will this mean a North American market for drugs?

Senator Austin: Honourable senators, there is no intention whatsoever of changing the current drug price management regime, which was developed by the Mulroney government and which has served us extremely well, in my view.

Senator Tkachuk: If Americans can purchase Canadian product at a lower price, there will be an increased demand. How do we propose to increase the quantity of drugs? Will there be price restrictions? If the market is good enough, it will drive up the price. I do not think the government can do anything to stop it, unless a price control body is holding down prices.

Senator Austin: As Senator Tkachuk knows, there is such a body. The price of drugs in Canada will not be affected by demand external to Canada. We simply may not have the drugs to supply that external demand. Our priority is not the external demand; our priority is the requirements of Canadians.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour of presenting two delayed answers to oral questions raised in the Senate.

[Translation]

The first is in response to an oral question raised in the Senate on May 16, 2005, by Senator Oliver concerning Budget 2005 — Funds for Infrastructure Program.

• (1400)

[English]

The second delayed answer is in response to oral questions raised in the Senate on April 14 by Senator Gustafson concerning Bovine Spongiform Encephalopathy, BSE, and discussions with the United States Cattle Industry Association and class-action suit by a coalition of Canadian farmers.

FINANCE

BUDGET 2005— FUNDS FOR INFRASTRUCTURE PROGRAM

(Response to question raised by Hon. Donald H. Oliver on May 16, 2005)

In order to provide municipalities, both large and small, with a long-term, reliable and predictable source of funding, Budget 2005 provides \$5 billion over five years to support environmentally sustainable infrastructure. Eligible investment categories may include municipal infrastructure needs such as public transit, water and wastewater infrastructure, and community energy systems.

Beginning in fiscal year 2005/06, the funding will be \$600 million and will ramp-up over the course of five years to reach \$2 billion annually by 2009/10. This funding represents a significant and growing federal investment in municipalities, together with the GST rebate that was announced in Budget 2004, and the intent announced in Budget 2005 to renew and extend into the future the Canada Strategic Infrastructure Fund, Municipal Rural Infrastructure Fund and the Border Infrastructure Fund as they expire.

Gas tax funds will flow to the provinces and territories once funding agreements are signed. These agreements will outline how the federal gas tax funding will be allocated amongst the municipalities and will ensure that the funding is targeted to environmentally sustainable infrastructure. The Minister of State (Infrastructure and Communities) is responsible for negotiating the funding agreements with the provinces and territories. At present, two funding agreements have been signed, with the Yukon and Alberta; however, others will be signed shortly.

To ensure that municipalities receive the gas tax funds early in the first year, the government has included the value of the first year gas tax allocation, which is \$600 million, in the budget implementation bill, *An Act to Implement Certain Provisions of the Budget*, tabled in Parliament on February 23, 2005 (Bill C-43). The *Act* authorizes the

Minister of State (Infrastructure and Communities) to make payments in the current fiscal year to the provinces and territories. In subsequent years, the normal course for Departmental appropriations via the estimates process, will be sufficient to ensure timely payments, similar to the practice for other government programs.

AGRICULTURE AND AGRI-FOOD

BOVINE SPONGIFORM ENCEPHALOPATHY— CLASS-ACTION SUIT BY COALITION OF CANADIAN FARMERS

(Response to question raised by Hon. Leonard J. Gustafson on April 14, 2005)

Since BSE was detected in North America, the collaborative efforts of this government, industry on both sides of the border, the Provinces and the U.S. Administration have focused on ensuring that decisions on human health, food safety and animal health be based on sound science and internationally-accepted standards. The Government of Canada is actively engaged in dialogue at all levels as work continues to normalize trade.

On March 9, 2005, the National Meat Association (NMA) filed an emergency motion asking the U.S. Ninth Circuit Court of Appeals to order that the NMA be named as an intervener in the litigation that resulted in the granting of a preliminary injunction against the U.S. Department of Agriculture's minimal BSE risk rule. The rule would have expanded access to the U.S. market for certain classes of live Canadian cattle. If the Court of Appeals grants the NMA that status, it is also asking the Court to overturn the preliminary injunction issued by the U.S. District Court (Montana). The NMA is arguing that continued closure of the border risks plant closures, job losses and irreparable damage to its members. On March 11, the Court of Appeals agreed to hear NMA's arguments on both issues.

On March 17, 2005, the U.S. Department of Justice, on behalf of USDA, filed a request in this same Court, also asking it to overturn the preliminary injunction. Time lines for both the NMA and USDA hearings have not been determined yet.

It is important to note that under U.S. law, Canada is not a party to either of these lawsuits. However, on April 14, 2005, the Government of Canada sought permission from the U.S. Ninth Circuit Court of Appeals to file an *amicus curiae* brief ("friend of the Court" — not a party to the case). If accepted, it would allow us to set out the facts about Canada's system for protecting human health, food safety and animal health from the minimal risks posed by BSE. We are currently awaiting the Court's decision as to whether it will accept our brief for consideration in its deliberations.

Canada and the United States have the same BSE risk status, and have similar appropriate measures in place to protect human and animal health. The interests of producers

on both sides of the border are served by reintegrating our cattle and beef markets to the fullest extent possible based on science — and the science indicates that the border should reopen.

We fully understand and share the industry's frustration with the delay in opening the U.S. border, which has resulted in significant losses to the industry. This is particularly frustrating for live cattle producers since the scientific evidence suggests that the border should have been opened already. Although we cannot comment on the class action lawsuits filed against the Government of Canada, we can clarify that none of them have been initiated by the Canadian Cattlemen's Association or other national industry groups with whom we have been closely working to normalize trade with the U.S. or other markets.

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker: Honourable senators, before going to Orders of the Day, I would like to introduce two guest pages from the House of Commons. Nigel Molaro, of Saskatoon, Saskatchewan, is pursuing his studies at the faculty of social sciences of the University of Ottawa. His major is political science. Mallory Mroz, of London, Ontario, is pursuing her studies at the faculty of social sciences of the University of Ottawa. Her majors are international studies and modern languages. Welcome.

ORDERS OF THE DAY

AERONAUTICS ACT

BILL TO AMEND—SECOND READING—POINT OF ORDER—SPEAKER'S RULING RESERVED

On the Order:

Resuming debate on the motion of the Honourable Senator Munson, seconded by the Honourable Senator Mercer, for the second reading of Bill S-33, to amend the Aeronautics Act and to make consequential amendments to other Acts.—(*Speaker's Ruling*)

The Hon. the Speaker: Honourable senators, Order No. 2 awaits the Speaker's Ruling. I had hoped to do that today, but I am not prepared on the question of whether Bill S-33 appropriates public money. Unfortunately, I am away from the Senate next week and so I will rule forthwith upon my return.

EXPORT AND IMPORT OF ROUGH DIAMONDS ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Robert W. Peterson moved second reading of Bill S-36, to amend the Export and Import of Rough Diamonds Act.

He said: Honourable senators, it is my pleasure to speak at second reading of Bill S-36, to amend the Export and Import of Rough Diamonds Act. The act provides controls for the export, import or transit across Canada of rough diamonds and enables the implementation in Canada of the international Kimberley Process Certification Scheme for trade in rough diamonds. For clarification, "rough diamond" means a diamond that is unsorted, unworked or simply sawn, cleaved or bruted. Such a diamond has not been cut or polished.

By way of background to the bill, honourable senators, it is important to understand the international concern that persists about the link between the illicit international trade in rough diamonds and armed conflict, particularly in Angola, Sierra Leone and the Democratic Republic of Congo. While conflict diamonds constitute a very small percentage of international diamond trade, they have had a devastating impact on peace, security and sustainable development in affected countries. For clarification, "conflict diamonds" can be described as diamonds coming from areas controlled by rebels with the resulting benefits of sales going to the rebels rather than to the people of the countries involved.

The Kimberley Process is the principal international initiative established to develop practical approaches to the conflict diamond challenge. The process was initiated in May 2000 by several southern African countries in response to growing international pressure to address peace and security concerns and to protect the national economies of several southern African countries that depend on the diamond industry. It was simultaneously implemented at national levels by participating countries on January 1, 2003.

The process now includes 43 countries involved in producing, processing, importing and exporting rough diamonds. These countries account for 99.8 per cent of the global trade in, and production of, rough diamonds. They include all of Canada's major diamond trading partners.

The implementation of the Kimberley Process has already demonstrated significant benefits in curbing illicit trade in rough diamonds. For example, Sierra Leone's certified exports in 2003 were valued at \$130 million versus \$10 million in 2000.

Although Canada's status as an important diamond producing country is recent, the industry is currently estimated to provide some 4,000 direct and indirect Canadian jobs. The value of mine production in 2004 is estimated to be \$2.1 billion, ranking Canada as the world's third most important diamond producer by value.

This status marks only the start of Canada's diamond history because more mines are scheduled to come into production in the coming years, such as the Jericho mine in Nunavut Territory in 2006, the Snap Lake mine in the Northwest Territories in 2007 and the Victor mine in Ontario in 2008.

These and other advanced exploration projects located in the same areas, as well as in Quebec and Saskatchewan, ensure prosperous times to come for the economies of many regions. They include Aboriginal communities and major Canadian cities

as hubs for the financial markets, equipment manufacturing companies and allied industries. In addition to diamond mining, a small diamond cutting and polishing industry has grown in Yellowknife, Vancouver, Toronto, Montreal and Matane, Quebec. Such operations have an important training component, which includes a number of Aboriginal apprentices. Both the mining industry and the diamond cutting and polishing industry are dependent on access to export markets, which depends on Canada's participation in the Kimberley Process.

The development and passage of Bill S-36 was accomplished at an accelerated pace to permit Canada's diamond mining and manufacturing industry to operate unhindered by the coming into force of the Kimberley Process. On this account and because the process is in its early phase of operation, shortcomings that impede its effectiveness were noted and addressed at the Kimberley Process Plenary Meeting held in Gatineau, Quebec, from October 27 to 29, 2004.

For Canada to be compliant with the Kimberley Process as per the modifications brought forward at the Kimberley Process Plenary Meeting, the following amendments to the Export and Import of Rough Diamonds Act are required: First, introduce a provision to enable the publication of the Kimberley Process Certificate based on import and export statistics collected through the Kimberley Process Certification Scheme; and second, change the definition of the term "rough diamond" as defined in the act and provide ministerial powers to facilitate future changes to the term as required by the Kimberley Process Certification Scheme.

Bill S-36 provides the required changes to the act for Canada to comply with the Kimberley Process requirements.

Honourable senators, regarding the first amendment, under the Kimberley Process Certification Scheme, participants are required to submit trade data to facilitate the identification of irregular trade activity, which is one of the foundations of the scheme. Most participants submit trade data based on Kimberley Process Certificates.

The second amendment, to change the definition of "rough diamond," as defined in the act, and to provide ministerial powers to facilitate future changes of a similar nature, is required to comply with changes adopted by the Kimberley Process Plenary Meeting. This limits the applicability of the Kimberley Process Certification Scheme to diamonds equal to or larger than 1.0 millimeter in diameter. This decision was made to remove unnecessary administrative burden on the Kimberley Process Certification Scheme because the smaller diamonds are of too little value for illicit trade.

Although these changes could be made after the scheduled review of the act in 2006 and the Kimberley Process Certification Scheme review of 2006-07, that would delay amendments until 2008 and, therefore, jeopardize Canada's compliance and trade in diamonds. These amendments are technical in nature and do not require any policy changes.

In conclusion, I ask for the support of all honourable senators to pass this important bill and send a signal to Canadian stakeholders and to the international community that Canada is

moving ahead to comply with the evolving requirements of the Kimberley Process Certification Scheme.

On motion of Senator Stratton, for Senator Di Nino, debate adjourned.

• (1410)

CRIMINAL CODE CULTURAL PROPERTY EXPORT AND IMPORT ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. George Baker moved second reading of Bill S-37, to amend the Criminal Code and the Cultural Property Export and Import Act.

He said: Honourable senators, the principle of this bill was announced on May 18, International Museum Day, by the Minister of Foreign Affairs, the Minister of National Defence, the Minister of Justice and the Minister of Heritage.

This bill, honourable senators, lays the groundwork to enable Canada to accede to the two protocols of the UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict, commonly referred to as the Hague Convention. As honourable senators know, Canada does not belong to either of these protocols as yet but, with the passage of this bill, Canada could become the first nation in the G8 to accede to the second protocol, so it is a significant bill.

Honourable senators, I must congratulate the Leader of the Government in the Senate on his magnificent staff. They briefed me in a thorough manner on the intricacies of the Criminal Code and the other legislation that this bill would amend. The amendments, honourable senators, are to the Criminal Code and to the Cultural Property Export and Import Act. These amendments to fulfill the principle of the bill are to enable the government, the Attorney General of Canada or the Attorney General of a province, to prosecute a Canadian, whether in Canada or abroad, for a violation of the provisions of the Hague Convention within the meaning of the Hague Convention as contained in this bill.

This bill also amends the Cultural Property Export and Import Act. I recall debating this matter in 1974 in the House of Commons and being impressed with the provisions of that act because it allowed someone who was being prosecuted for a strict liability offence under the act to have the defence of *mens rea*. In other words, if someone had cultural property that was identified and registered within the nation that claimed it to be cultural property within the provisions of the act, one would have to prove that the person, the possessor, had done something intentionally, or that they did not have bona fide ownership or title to the property.

The bill amends three sections of the Criminal Code. One of those sections covers aircraft over international waters and another one covers the area outside Canada's exclusive economic zone, which Senator Comeau is examining in his Fisheries Committee. Cultural property which is outside of

Canadian jurisdiction, either in a vessel or affixed to the continental shelf, would come under the provisions of this act. I can see Senator Comeau now trying to figure out how to classify fish as “cultural property.”

Another interesting aspect of the bill is that the Hague Convention will become a part of our domestic law within the Criminal Code; that is, the Hague Convention of 1954 for cultural property in a member state that was affected by armed conflict. Of course, you have to be a member state for this convention to apply.

Another section of the Criminal Code that is being amended is that section which would apply if you wilfully damaged property, what is commonly referred to as the mischief section. When you commit mischief, you are prosecuted under that section. A minor change is being made here in that the penalty is being increased from two years for an indictable offence to ten years. I am told that the reason for that increase is to meet the expectations of the protocol that Canada will accede to after the approval of this legislation by the Senate and then by the House of Commons. It does not change the provisions regarding summary conviction under the Criminal Code. Again, honourable senators, although it is a strict liability offence, the word “wilfully” is contained in that section of the Criminal Code, which offers the full protections of the Charter.

The second act that this bill modifies is the Cultural Property Import and Export Act, which, as I mentioned, was passed way back in 1974. You will notice, honourable senators, that three of the six pages of the bill contain the new provisions of the Cultural Property Export and Import Act. I noticed that it contained the same wording, repeating what is already in the legislation. It clearly outlines the procedure. When a member state complains that a piece of cultural property is being held by somebody in Canada, or by a Canadian citizen, or by somebody defined as a Canadian under any act of Parliament, a prosecution is started. If the person in possession has a bona fide interest in that property, if they thought that they had legitimately purchased the property, then the state that is requesting the return of the property must compensate them in full, and that compensation is to be determined by the trial judge. It contains exactly the same wording.

I asked why the repetition of exactly the same wording. In other words, you have one bill, and you get to page 4 and there are three pages on the topic. Then you get to page 7 and there are three more pages saying exactly the same thing, but within the meaning of the Hague Convention. I was told that this is repeated word for word just to be sure of its implementation.

Honourable senators, that is what is contained in this bill. It does say, at the conclusion, that section 39 of the Federal Courts Act does not apply. That is the limitation section. In other words, a prosecution can be brought either in a superior court of a province — that is, the Supreme Court of a province — or in the Federal Court. This bill is saying that the Federal Court provisions relating to limitations do not apply because there is already a limitations provision contained in the bill. I might say, looking at the limitations provision under this bill, that it has an interesting wording. It says that you can proceed summarily any

time within three years after the time that the subject matter of the complaint arose. Beyond that, you cannot proceed. You would then have to proceed by way of indictment, which it is open to a prosecutor to do.

• (1420)

However, it is for a three-year term. I see nothing unusual about that provision, as the Fisheries Act and the Environmental Protection Act have provisions allowing for “within two years of the subject matter of the offence coming to the attention of the minister,” meaning the department. There is nothing unusual about the three-year provision.

All of that, honourable senators, is to say that this is a good bill that should receive the support of all parties here in the Senate. I hope that the House of Commons will also pass it forthwith, following its approval here.

Hon. Senators: Hear, hear!

On motion of Senator LeBreton, debate adjourned.

FEDERAL NOMINATIONS BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Stratton, seconded by the Honourable Senator LeBreton, for the second reading of Bill S-20, to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions.—(*Subject-matter referred to the Standing Senate Committee on Legal and Constitutional Affairs on February 2, 2005*)

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, I rise to speak to this matter because the content of this bill has been referred to committee without second reading.

This is now the second time that we have rewound the clock with respect to this bill. There is a problem in the Senate. I would bring to the attention of the chair of the Rules Committee that this practice should not continue. Either we do not allow bills to go to committee unless they have had second reading, or we move them along in committee once they are approved and sent there.

I would very much like the Rules Committee to take a look at this situation. It is not a satisfactory one, and we are constantly playing games with it.

The Hon. the Speaker: Is it agreed, honourable senators, that we go back to day one on item No. 10?

Hon. Senators: Agreed.

The Hon. the Speaker: That order now stands at day one.

On motion of Senator Stratton, debate adjourned.

[Translation]

ASSASSINATION OF LORD MOYNE AND HIS CONTRIBUTION TO BRITISH WEST INDIES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools, calling the attention of the Senate to:

- (a) November 6, 2004, the sixtieth anniversary of the assassination of Walter Edward Guinness, Lord Moyne, British Minister Resident in the Middle East, whose responsibilities included Palestine, and to his accomplished and outstanding life, ended at age 64 by Jewish terrorist action in Cairo, Egypt; and
- (b) to Lord Moyne's assassins Eliahu Bet-Tsouri, age 22, and Eliahu Hakim, age 17, of the Jewish extremist Stern Gang LEHI, the Lohamei Herut Israel, translated, the Fighters for the Freedom of Israel, who on November 6, 1944 shot him point blank, inflicting mortal wounds which caused his death hours later as King Farouk's personal physicians tried to save his life; and
- (c) to the 1945 trial, conviction and death sentences of Eliahu Bet-Tsouri and Eliahu Hakim, and their execution by hanging at Cairo's Bab-al-Khalk prison on March 23, 1945; and
- (d) to the 1975 exchange of prisoners between Israel and Egypt, being the exchange of 20 Egyptians for the remains of the young assassins Bet-Tsouri and Hakim, and to their state funeral with full military honours and their reburial on Jerusalem's Mount Herzl, the Israeli cemetery reserved for heroes and eminent persons, which state funeral featured Israel's Prime Minister Rabin and Knesset Member Yitzhak Shamir, who gave the eulogy; and
- (e) to Yitzhak Shamir, born Yitzhak Yezernitsky in Russian Poland in 1915, and in 1935 emigrated to Palestine, later becoming Israel's Foreign Minister, 1980-1986, and Prime Minister 1983-1984 and 1986-1992, who, as the operations chief for the Stern Gang LEHI, had ordered and planned Lord Moyne's assassination; and
- (f) to Britain's diplomatic objections to the high recognition accorded by Israel to Lord Moyne's assassins, which objection, conveyed by British Ambassador to Israel, Sir Bernard Ledwidge, stated that Britain "very much regretted that an act of terrorism should be honoured in this way," and Israel's rejection of Britain's representations, and Israel's characterization of the terrorist assassins as "heroic freedom fighters"; and
- (g) to my recollections, as a child in Barbados, of Lord Moyne's great contribution to the British West Indies, particularly as Chair of the West India Royal

Commission, 1938-39, known as the Moyne Commission and its celebrated 1945 Moyne Report, which pointed the way towards universal suffrage, representative and responsible government in the British West Indies, and also to the deep esteem accorded to Lord Moyne in the British Caribbean.—(*Honourable Senator Comeau*)

Hon. Madeleine Plamondon: Honourable senators, I would like to speak briefly to this inquiry. The question is of some concern, and so I will participate in this debate at the appropriate time.

I therefore move the adjournment of the debate in the name of Senator Comeau.

On motion of Senator Plamondon, for Senator Comeau, debate adjourned.

[English]

PROGRESS REPORT ON QUALITY END-OF-LIFE CARE

INQUIRY—DEBATE ADJOURNED

Hon. Sharon Carstairs rose, pursuant to notice of May 31, 2005:

That she will call the attention of the Senate to *Still Not There. Quality End-of-Life Care: A Progress Report*.

She said: Honourable senators, I rise today to speak to a report that I placed on your desks earlier today called *Still Not There. Quality End-of-Life Care: A Progress Report*.

As honourable senators know, the 1995 report of the Special Senate Committee on Euthanasia and Assisted Suicide, entitled *Of Life and Death*, and the 2000 report of the Senate Subcommittee to Update *Of Life and Death*, entitled *Quality End-of-Life Care: The Right of Every Canadian*, were important in focusing national attention on the need for palliative and end-of-life care and in raising public awareness of the issue.

Each of these reports had the effect of giving voice to those concerned with end-of-life care and strengthened the sense of identity of the discipline. These reports were both excellent examples of the impact that a Senate committee report can have on public policy.

As honourable senators are aware, the aim of care focused on dying individuals is to achieve the best possible quality of life for both the person who is dying and their family by addressing their physical, psychological, social, spiritual and practical expectations and needs. Patients of all ages suffering from all life-threatening illnesses can benefit from access to palliative and end-of-life care.

As of June 2005, we are celebrating the tenth anniversary of the tabling of the first report, and the fifth anniversary of the tabling of the second report. I believe it is time to reflect on what progress has been made in implementing the recommendations of the 1995 and 2000 reports.

Still Not There. Quality End-of-Life Care: A Progress Report is my personal reflection on what has happened in palliative and end-of-life care since the 2000 Senate committee report and on what actions still need to be taken to provide quality end-of-life care to Canadians.

In the fall of 2004, I sent out over 100 letters to federal, provincial and territorial associations, non-governmental organizations and professional associations with an interest in palliative and end-of-life care. Witnesses who had appeared before the Senate subcommittee in 2000 were asked to review their testimony and to make any necessary changes. The letters posed these questions:

One: What progress has been made in implementing the 14 recommendations from the 2000 report?

Two: What progress has been made in implementing the unanimous recommendations in the 1995 report?

Three: Are the recommendations still valid?

Four: Are the appendices from the 2000 report up to date?

Five: Where is palliative care headed in Canada and internationally?

• (1430)

The responses received from these letters formed the basis of the information included in the status section of this report. Information was also collected from one-on-one conversations with those working and acting in the field, research, conferences and reviewed materials.

On the fifth anniversary of the tabling of the 2000 report, I am pleased to say that there has been some very positive progress in providing quality end-of-life care to Canadians. The 2000 Senate report recommended the implementation of income and job protection for family members who care for the dying. This feature was implemented through an amendment to the Employment Insurance Act as a Compassionate Family Care Leave Benefit that came into effect in January 2004. Most provinces have moved to amend their labour codes to provide job protection as well.

Industry Canada was among those who funded the development of a virtual hospice on the World Wide Web. The Canadian Institutes of Health Research have announced \$16.5 million to fund palliative and end-of-life care research funding over the next five years. Health Canada has announced funding for an education program for physicians in end-of-life care. Health Canada is also developing the implementation of a Canadian strategy on palliative and end-of-life care.

However, despite these accomplishments, we are still not there. There is still much to be done. The combination of the relative newness of end-of-life care with a variety of health care jurisdictions and a strong, locally-based volunteer movement has resulted in significant disparities across Canada with respect to access to end-of-life care, the quality of care, and out-of-pocket costs to the patient.

Although there are in excess of 430 programs and services listed by the Canadian Hospice Palliative Care Association, most of those working in the field still estimate that no more than

15 per cent of Canadians have access to hospice palliative care. For children, that figure falls to 3.3 per cent, according to a recent Canadian Institutes of Health Research project. Hospice palliative care programs and services need to be integrated into the health care system and not be an additional program that may or may not be available in your community.

There is a need to standardize greater access to quality end-of-life care across the country. There is a need for ongoing education and training of health care professionals. There is a need for continued research and its dissemination, including socio-economic research and the development and dissemination of best practices. There is a need to support family caregivers who are assuming a greater portion of the responsibility for health care as more health care is delivered into the home and community. There is a need to inform patients and caregivers of supports and services available to them. There is a need for coordination and support across care settings as patients move from home to hospital, to long-term care facilities, and to hospices.

You might ask: Why is this need so great? Honourable senators, the Canadian population is aging. By the year 2026, 8 million Canadians will be over the age of 65. This is approximately 20 per cent of the Canadian population. Seniors account for 75 per cent of the deaths each year in this country. It is estimated that there will be a 40 per cent increase in those deaths by the year 2020. This will amplify the demand for increased capacity and improved access to quality end-of-life care in every province and territory.

In my report, *Still Not There*, I make 10 new recommendations to the federal government in five areas: national strategy, patient and caregiver support, training and education for formal and informal health care providers, government and citizens working together, and planning for the future.

For national strategy, honourable senators, I have to say that the current Canadian strategy on palliative and end-of-life care, while essential to ensuring quality end-of-life care for all Canadians, is not at the present time sustainable. The Canadian strategy has been incompletely implemented and has not met its original objectives. Without federal leadership, there will continue to be a patchwork of services available to Canadians, as no single province is equipped to provide the necessary leadership.

To that end, I recommend that Health Canada provide long-term, sustainable funding for the further development of a Canadian strategy on palliative and end-of-life care that is cross-departmental and cross-jurisdictional and meets the needs of Canadians.

I recommend that federal, provincial and territorial governments make palliative and end-of-life care programs a top priority in the restructuring of the health care system through implementing consistent norms of practice to eliminate disparities between different jurisdictions; integrating services to make the transitions between all health care settings, including hospital, long-term care, home and hospice seamless; and enhancing home care and pharmacare, including the provision of respite care.

For patient and caregiver support, we know that the compassionate care leave program was a huge step forward, but there have been problems with its uptake by the public. This is because it is too narrow in its application, and changes are needed to ensure that those who can most benefit from this program can access it.

I recommend that the federal government amend the compassionate family care leave benefit under the Employment Insurance program to improve Canadian access and eligibility under the benefit by extending the leave from eight weeks to 16 weeks, including a two-week waiting period; by allowing the patient to determine the best person to be their caregiver, be it a family member or a friend; by not limiting the benefit to the last six months of life, especially for children; and by mounting a public education program designed to inform Canadians about the benefit. Furthermore, the federal government and the provinces and territories must amend their respective labour codes to reflect these changes to the compassionate family care leave benefit.

Health Canada is funding a program to educate physicians. I am very pleased that by 2008 no physician in Canada will graduate without some training in palliative medicine, and that has been a long time coming as the average training right now is one hour for a physician graduating from undergraduate medicine. That will be achieved by 2008, and that is very positive.

However, we have many other health care providers who need the same kind of training in order to offer a truly integrated approach to quality end-of-life care. Therefore, I recommend that the federal government support the development of multi-disciplinary education and training with respect to palliative and end-of-life care and support an integrated and coordinated approach to it across care settings.

Honourable senators, just as a note of interest, in order to help the family physicians of Canada and the College of Physicians and Surgeons in Canada to develop a curriculum that will become standard across the country, it required a donation of \$1.25 million. That is all it required to ensure that all undergraduate physicians in this country get this kind of education. If we can do it for physicians, then let us do it for nurses, pharmacists, social workers and occupational therapists in order to ensure they all are there when needed.

The 1995 Senate report focused a good deal of attention on the need for clarification regarding the legal status of withholding and withdrawal of life-sustaining treatments and the administration of pain control drugs, which may unintentionally shorten life. That clarity has never materialized. Therefore, I recommend that health care providers be educated on the practice of providing treatment for the purpose of alleviating suffering that may have the unintended effect of shortening life and the circumstances in which the withholding and withdrawal of life-sustaining treatment is legally acceptable.

The most important thing that the 2000 Senate committee found about advance directives was how important conversations with family were surrounding their development. The 2000 report recommended that all provinces and territories adopt such

legislation. I am pleased to say that all provinces have now done so. Unfortunately, there are still two territories that have not done so, and I would urge them to pass that legislation.

• (1440)

However, we have discovered a problem, honourable senators, and that is that some provinces do not respect the advance directive signed by someone from another province. Although I may have an advance directive, as I do, which is duly signed in the province of Ontario, if I have an accident in Nova Scotia and my advance directive needs to be considered, it cannot be considered because it was not signed in Nova Scotia. Surely we can develop legislation within the provinces that would recognize the protocols of other provinces with respect to advance directives.

Public information, however, is also essential to ensure access to services by those who need it. I recommend that Health Canada, in cooperation with the provinces, territories and the hospice palliative care community, sponsor a national campaign designed to inform the public about end of life, including information on palliative and end-of-life care services available in their region, advance directives and end-of-life care planning, the compassionate care leave benefit and how to apply for it, their legal rights with respect to withholding and withdrawal of life-sustaining treatment, and caring for the dying as an informal caregiver.

Despite the progress that has been made in research, as we plan for the future and an aging population it is essential that we continue to do research and data surveillance to ensure that we are offering quality palliative and end-of-life care which is sustainable. I recommend that the Canadian Institute for Health Information be encouraged to develop indicators for quality end-of-life care. Furthermore, I recommend that the Canadian Institutes of Health Research undertake research into the socio-economic issues of palliative and end-of-life care, including the physical, mental and economic impact on informal caregivers.

Honourable senators, dying is a fact of life, one we will all have to face eventually. As we face it, and as we watch our loved ones face it, we want to make sure that we live well until the very end; that our physical, psychological, social, spiritual and practical expectations and needs are met. Quality end-of-life care is not just an ideal; it is a necessity if we are to ensure that we meet the needs of all Canadians.

Hon. Leonard J. Gustafson: Would the honourable senator entertain a question?

Senator Carstairs: Absolutely.

The Hon. the Speaker: Before we are able to do that, I should advise Senator Carstairs that her time has expired.

Senator Carstairs: May I have leave for my time to be extended to deal with Senator Gustafson's question?

Hon. Senators: Agreed.

Senator Gustafson: This is an excellent report, and of course it reminds us of the importance of dealing with a situation we all come to sooner or later in life.

I was reading the other day that Alberta, in an article that was written in Alberta, probably has the most advanced medical system in Canada. From the area where we live, many people have moved to Medicine Hat, and they have moved there because, being senior in years, they feel that they are getting better service than they would in Saskatchewan.

In your study, did you make comparisons between the provinces as to how that relates to all of Canada? I believe we are all aware of the importance of having a system that works for everyone. The honourable senator mentioned the northern parts of the country. I would like her comment.

Senator Carstairs: The reality is that Alberta spends more per capita on medical care than any other province in this country. That is because their treasury is just that much larger per capita than that of any other province in the country. There is no doubt that they have some of the best palliative care in the country, and the most widely dispersed. In my own province, while there is excellent palliative care in Winnipeg, it is not as easily accessible in other parts of the province of Manitoba. In Alberta, they have been able to spread the program much more widely.

That is all the more reason, in my view, for the federal government to target its resources and its dollars to reach everyone across this country, because it should be quality end-of-life care for everyone. To that end, the new health accord, which has been signed as of 2004, goes a long way because this is the first time they have actually put 50-cent dollars into home care budgets. By putting money into home care budgets, the federal government is recognizing the evolution that is happening and the changing way in which health care and end-of-life care is delivered. This will make it possible for a province, such as Nova Scotia, for example, that has not been able to fully fund home care, to get into the game and provide better quality end-of-life care.

Hon. Serge Joyal: I have a question for the Honourable Senator Carstairs, but first I would commend our colleague for her lasting work and commitment.

My question relates to the last point raised by the honourable senator about the health care accord. Senator Carstairs will remember that in the health care accord there is a reporting obligation that some provinces — most of the provinces — have subscribed to so that we could, on a regular basis, measure the progress that is made from one year to the next; in other words, how the quality of services that have been outlined are met by the participating provinces. Can the honourable senator inform us as to whether or not the issue of providing improvement of services will be part of that reporting mechanism?

My second question is in relation to her second point, which is how to make sure that the professional people involved in providing the services are well trained. The senator listed a group of people. Did she ever consider that the Council of Ministers of Education would probably be the interprovincial body by whom the federal government is invited, on occasion, to discuss issues of national importance and through which there could be some commitment made by the participating provinces to improve the

curricula in the way that Senator Carstairs has suggested in her presentation?

Senator Carstairs: There are two serious questions here. The first one is on the reporting obligation laid out in the health care accord. As my honourable colleague will remember, the reporting is actually to the people of the province that has received the money, which in fact is all of the provinces. There will have to be an acceptance by the Canadian public that they themselves will need to be more vigilant. If this report is made to the citizens of the province, then it must be the citizens of the province who will need to stand up and say that there has not been a good enough job done with the moneys that they have been afforded. It will take some skill and some training to create the citizen awareness that will accomplish the best results from this accord.

With respect to the Council of Ministers of Education, interestingly enough, in my previous role I found that the way to change medical school curricula was not through the Council of Ministers of Education. It was, in fact, through the professional associations and through their governing bodies. Therefore, we went to the College of Physicians and Surgeons and the College of Family Physicians, and that is how we were able to affect the curriculum. The Canadian Nurses Association is working on curricula at the present time.

That is certainly something I will pursue, because I believe it is worth further acknowledgement. However, to date we have discovered that it is actually the professional bodies that are establishing the curricula for professional organizations.

On motion of Senator Cook, debate adjourned.

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF MEDIA INDUSTRIES

Hon. Joan Fraser, pursuant to notice of May 31, 2005, moved:

That, notwithstanding the Order of the Senate adopted on Tuesday, October 19, 2004, the date for the presentation of the final report of the Standing Senate Committee on Transport and Communications on its study into the current state of Canadian media industries; emerging trends and developments in these industries; the media's role, rights, and responsibilities in Canadian society; and current and appropriate future policies relating thereto, be extended from Friday, June 17, 2005 to Friday, December 23, 2005.

The Hon. the Speaker: Do you wish to speak to the motion, Senator Fraser?

Senator Fraser: Not unless there are questions that anyone would like to have answered.

The Hon. the Speaker: I see no senator rising.

Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

• (1450)

[*Translation*]

ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, June 7, 2005, at 2 p.m.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, June 7, 2005, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION

*(indicates the status of a bill by showing the date on which each stage has been **completed**)*
(1st Session, 38th Parliament)

Thursday, June 2, 2005

*(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)*

GOVERNMENT BILLS
(SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-10	A second Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law	04/10/19	04/10/26	Legal and Constitutional Affairs	04/11/25	0 observations	04/12/02	04/12/15	25/04
S-17	An Act to implement an agreement, conventions and protocols concluded between Canada and Gabon, Ireland, Armenia, Oman and Azerbaijan for the avoidance of double taxation and the prevention of fiscal evasion	04/10/28	04/11/17	Banking, Trade and Commerce	04/11/25	0	04/12/08	05/03/23*	8/05
S-18	An Act to amend the Statistics Act	04/11/02	05/02/02	Social Affairs, Science and Technology	05/03/07	0	05/04/20		
S-31	An Act to authorize the construction and maintenance of a bridge over the St. Lawrence River and a bridge over the Beauharnois Canal for the purpose of completing Highway 30	05/05/12							
S-33	An Act to amend the Aeronautics Act and to make consequential amendments to other Acts	05/05/16							
S-36	An Act to amend the Export and Import of Rough Diamonds Act	05/05/19							
S-37	An Act to amend the Criminal Code and the Cultural Property Export and Import Act	05/05/19							
S-38	An Act respecting the implementation of international trade commitments by Canada regarding spirit drinks of foreign countries	05/05/31							

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-3	Bill, C-3, An Act to amend the Canada Shipping Act, the Canada Shipping Act, 2001, the Canada National Marine Conservation Areas Act and the Oceans Act	05/03/21	05/04/14	Transport and Communications					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-4	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment	04/11/16	04/12/09	Transport and Communications	05/02/15	0	05/02/22	05/02/24*	3/05
C-5	An Act to provide financial assistance for post-secondary education savings	04/12/07	04/12/08	Banking, Trade and Commerce	04/12/09	0 observations	04/12/13	04/12/15	26/04
C-6	An Act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain Acts	04/11/18	04/12/07	National Security and Defence	05/02/22	0	05/03/21	05/03/23*	10/05
C-7	An Act to amend the Department of Canadian Heritage Act and the Parks Canada Agency Act and to make related amendments to other Acts	04/11/30	04/12/09	Energy, the Environment and Natural Resources	05/02/10	0	05/02/16	05/02/24*	2/05
C-8	An Act to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act	05/03/07	05/03/21	National Finance	05/04/14	0	05/04/19	05/04/21*	15/05
C-9	An Act to establish the Economic Development Agency of Canada for the Regions of Quebec	05/06/02							
C-10	An Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts	05/02/08	05/02/22	Legal and Constitutional Affairs	05/05/12	0 observations	05/05/16	05/05/19*	22/05
C-12	An Act to prevent the introduction and spread of communicable diseases	05/02/10	05/03/09	Social Affairs, Science and Technology	05/04/12	2	05/04/14	05/05/13*	20/05
C-13	An Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act	05/05/12	05/05/16	Legal and Constitutional Affairs	05/05/18	0	05/05/19	05/05/19*	25/05
C-14	An Act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other Acts	04/12/07	04/12/13	Aboriginal Peoples	05/02/10	0	05/02/10	05/02/15*	1/05
C-15	An Act to amend the Migratory Birds Convention Act, 1994 and the Canadian Environmental Protection Act, 1999	04/12/14	05/02/02	Energy, the Environment and Natural Resources	05/05/17	0 observations	05/05/18	05/05/19*	23/05
C-18	An Act to amend the Telefilm Canada Act and another Act	04/12/13	05/02/23	Transport and Communications	05/03/22	0 observations	05/03/23	05/03/23*	14/05
C-20	An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts	04/12/13	05/02/16	Aboriginal Peoples	05/03/10	0	05/03/21	05/03/23*	9/05

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-23	An Act to establish the Department of Human Resources and Skills Development and to amend and repeal certain related Acts	05/06/02							
C-24	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to make consequential amendments to other Acts (fiscal equalization payments to the provinces and funding to the territories)	05/02/16	05/02/22	National Finance	05/03/08	0	05/03/09	05/03/10*	7/05
C-29	An Act to amend the Patent Act	05/02/15	05/03/07	Banking, Trade and Commerce	05/04/12	2	05/04/14	05/05/05*	18/05
C-30	An Act to amend the Parliament of Canada Act and the Salaries Act and to make consequential amendments to other Acts	05/04/13	05/04/14	National Finance	05/04/21	0	05/04/21	05/04/21*	16/05
C-33	A second Act to implement certain provisions of the budget tabled in Parliament on March 23, 2004	05/03/07	05/04/20	National Finance	05/05/03	0	05/05/10	05/05/13*	19/05
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 2, 2004-2005</i>)	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	27/04
C-35	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 3, 2004-2005</i>)	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	28/04
C-36	An Act to change the boundaries of the Acadie—Bathurst and Miramichi electoral districts	04/12/13	05/02/01	Legal and Constitutional Affairs	05/02/22	0 observations	05/02/23	05/02/24*	6/05
C-39	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to enact An Act respecting the provision of funding for diagnostic and medical equipment	05/02/22	05/03/08	Social Affairs, Science and Technology	05/03/10	0	05/03/22	05/03/23*	11/05
C-40	An Act to amend the Canada Grain Act and the Canada Transportation Act	05/05/12	05/05/16	Agriculture and Forestry	05/05/18	0	05/05/19	05/05/19*	24/05
C-41	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 4, 2004-2005</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	12/05
C-42	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2006 (<i>Appropriation Act No. 1, 2005-2006</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	13/05
C-45	An Act to provide services, assistance and compensation to or in respect of Canadian Forces members and veterans and to make amendments to certain Acts	05/05/10	05/05/10	National Finance	05/05/12	0	05/05/12	05/05/13*	21/05

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-302	An Act to change the name of the electoral district of Kitchener—Wilmot—Wellesley—Woolwich	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	4/05
C-304	An Act to change the name of the electoral district of Battle River	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	5/05

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Citizenship Act (Sen. Kinsella)	04/10/06	04/10/20	Social Affairs, Science and Technology	04/10/28	0	04/11/02	05/05/05*	17/05
S-3	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/10/06	04/10/07	Official Languages	04/10/21	0	04/10/26		
S-4	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	04/10/06	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-5	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	04/10/07	04/10/26	Transport and Communications (withdrawn) 04/10/28 Legal and Constitutional Affairs					
S-6	An Act to amend the Canada Transportation Act (running rights for carriage of grain) (Sen. Banks)	04/10/07							
S-7	An Act to amend the Supreme Court Act (references by Governor in Council) (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-8	An Act to amend the Judges Act (Sen. Cools)	04/10/07							
S-9	An Act to amend the Copyright Act (Sen. Day)	04/10/07	04/10/20	Social Affairs, Science and Technology					
S-11	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	04/10/19	04/10/26	Legal and Constitutional Affairs	05/04/12	2 observations	05/05/17		
S-12	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	04/10/19	05/06/01	Energy, the Environment and Natural Resources					
S-13	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	04/10/19	04/11/17	Legal and Constitutional Affairs					
S-14	An Act to protect heritage lighthouses (Sen. Forrestall)	04/10/20	04/11/02	Social Affairs, Science and Technology	05/03/21	0	05/03/23		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-15	An Act to prevent unsolicited messages on the Internet (Sen. Oliver)	04/10/20		Subject-matter 05/02/10 Transport and Communications					
S-16	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	04/10/27		Subject-matter 05/02/22 Aboriginal Peoples					
S-19	An Act to amend the Criminal Code (criminal interest rate) (Sen. Plamondon)	04/11/04	04/12/07	Banking, Trade and Commerce					
S-20	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	04/11/30		Subject-matter 05/02/02 Legal and Constitutional Affairs					
S-21	An Act to amend the criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	04/12/02	05/03/10	Legal and Constitutional Affairs					
S-22	An Act to amend the Canada Elections Act (mandatory voting) (Sen. Harb)	04/12/09							
S-23	An Act to amend the Royal Canadian Mounted Police Act (modernization of employment and labour relations) (Sen. Nolin)	05/02/01							
S-24	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	05/02/03	05/03/10	Legal and Constitutional Affairs					
S-26	An Act to provide for a national cancer strategy (Sen. Forrestall)	05/02/16	05/06/01	Social Affairs, Science and Technology					
S-28	An Act to amend the Bankruptcy and Insolvency Act (student loan) (Sen. Moore)	05/03/23	05/06/01	Banking, Trade and Commerce					
S-29	An Act respecting a National Blood Donor Week (Sen. Mercer)	05/05/05	05/06/01	Social Affairs, Science and Technology					
S-30	An Act to amend the Bankruptcy and Insolvency Act (RRSP and RESP) (Sen. Biron)	05/05/10							
S-32	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	05/05/12							
S-34	An Act to amend the Department of Justice Act and the Supreme Court Act to remove certain doubts with respect to the constitutional role of the Attorney General of Canada and to clarify the constitutional relationship between the Attorney General of Canada and Parliament (Sen. Cools)	05/05/16							
S-35	An Act to amend the State Immunity Act and the Criminal Code (terrorist activity) (Sen. Tkachuk)	05/05/18							

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-25	An Act to amend the Act of incorporation of The General Synod of the Anglican Church of Canada (Sen. Rompkey, P.C.)	05/02/10	05/03/23	Banking, Trade and Commerce	05/05/05	0 observations	05/05/10	05/05/19*	
S-27	An Act respecting Scouts Canada (Sen. Di Nino)	05/02/17	05/04/19	Legal and Constitutional Affairs					

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