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OFFICIAL REPORT  
(HANSARD)

**Thursday, June 30, 2005**



THE HONOURABLE DANIEL HAYS  
SPEAKER

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## THE SENATE

Thursday, June 30, 2005

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

Prayers.

### SENATORS' STATEMENTS

#### CANADA DAY

**Hon. Noël A. Kinsella (Leader of the Opposition):** Honourable senators, on the eve of Canada Day, I wish to reflect on the many blessings that Canadians have been afforded by a rich nature and a marvellous people. On this Canada Day, we can also reflect on the fact that, for 138 years, the system of governance under which we have worked has been a huge success, given that the practice of freedom in Canada is as rich as anywhere in the world. Perhaps there is something right about our system.

I invite all my colleagues in this house and in the other place to join with the third part of our Parliament, the Crown, in celebrating Canadian freedom and liberty on this the one hundred and thirty-eighth birthday of our beautiful country.

**Hon. Senators:** Hear, hear!

**Hon. Jack Austin (Leader of the Government):** Honourable senators, it is a pleasure to join with my colleague the Leader of the Opposition in noting Canada's one hundred and thirty-eighth birthday to be celebrated tomorrow. Canada Day is one of the most important events in communities across this country.

Here in Ottawa, it is a major event celebrated on Parliament Hill and televised across the country. In Vancouver, we have an enormous party at Canada Place, a signature structure in the harbour of Vancouver. Tens of thousands of people attend that event, which I am sure is the case in every part of Canada.

I have seen time and again in my public life the devotion of Canadians to this country and their understanding of our values, uniqueness, tolerance and desire to build a just society and a better world.

**Hon. Senators:** Hear, hear!

#### YMCA FELLOWSHIP OF HONOUR

CONGRATULATIONS TO JOHN LINDSAY SR.  
ON BECOMING AN OFFICER

**Hon. Terry M. Mercer:** Honourable senators, on Thursday, June 9, I was honoured to attend the YMCA Fellowship of Honour investiture ceremony with my colleagues Senator Andreychuk and Senator Maheu. It is noteworthy that Senator Andreychuk is an Officer of the Fellowship of Honour, the highest honour given by the YMCA of Canada. This honour recognizes volunteers and staff who have shown leadership in strengthening the YMCA's efforts to build strong families and strong communities.

This subject is particularly close to my heart in that I served as Vice President of Financial Development of the YMCA of Greater Toronto in the late 1980s and early 1990s.

This year, a very distinguished Nova Scotian was inducted as an officer — Mr. John Lindsay Sr. of Halifax. John has been actively involved in the YMCA of Halifax-Dartmouth for more than four decades. A renowned businessman, he believes in a strong community and is a leader in that effort.

Founder of J.W. Lindsay Enterprises Limited, John has enjoyed over 45 years of building success in Atlantic Canada while striving to enhance his community through organizations like the YMCA. From fundraising to fitness programs, John has always been a great friend of the YMCA. As his company is known as one of the best construction companies around, John is no stranger to efficient and creative ways to improve business and volunteer organizations such as the YMCA.

I have known John Lindsay Sr. for many years. He is a creative thinker, a good Samaritan and an honourable Nova Scotian.

The YMCA is dedicated to the growth of all persons in spirit, mind and body, and to a sense of responsibility to each other and the global community. Better words could not be found to describe the contributions of John Lindsay Sr.

### THE SENATE

#### ETHICS OFFICER—CONFLICT OF INTEREST COMMITTEE—ELECTION OF FIFTH MEMBER

**Hon. Serge Joyal:** Honourable senators, it is a privilege for me to draw your attention to a message sent to the office of each of you through our email network yesterday by the Honourable Senators Angus, Andreychuk, Carstairs and myself. The message reads:

We, the undersigned Senators, have been elected by our respective caucuses to serve on the newly-created Senate Committee on Conflict of Interest for Senators and as such we are charged with selecting a fifth member of the Committee. We have today held a preliminary meeting on this issue and wish to be transparent and open and therefore, have decided to conduct an election for the fifth member.

We wish to determine which individual Senators are interested in being elected to this final membership position on the Committee. However, we are also mindful of the time remaining in the Senate calendar before the summer recess and of the work that needs to be done in advance of our return in the fall. Therefore, we respectfully request that Senators interested in serving on the Committee as the fifth member indicate so by writing or by e-mail to:

Blair Armitage  
 Clerk of the Committee  
 Senate Committee on Conflict of Interest for Senators  
 Room 1011, Chambers Building  
 or  
[armitb@sen.parl.gc.ca](mailto:armitb@sen.parl.gc.ca)  
 or by fax to  
 995 1925

Honourable senators know that the most important aspect of this new committee is transparency. We want to give all senators the opportunity to be on the short list for the fifth member of the committee. In order that the four serving senators can vote secretly for the fifth member next week and that, according to the procedure outlined by the Leader of the Government in the Senate, both sides can report on the formal constitution of the committee next week, senators must submit their names by Monday afternoon, July 4, at five o'clock.

• (1340)

**Hon. Marcel Prud'homme:** Honourable senators, unprepared as I am to speak to this matter today, I can say that I became ill last night because I think I was being too passionate about this issue and I cannot do it anymore. By the time I got back to my office, friends had called me — I still have a few in the Senate — to tell me that they thought I would win the election. I did not know what they were talking about. Why? Because as Senator Austin and I were debating, the email Senator Joyal just read had already been distributed. Had I known that, of course, I would not have said what I said yesterday.

I still say that this proposal is the second best choice. I would have preferred the entire membership of the Senate to vote, but so be it. I think it is good progress and I thank the senator. Having said that, it is the next best thing and I will bow out. I only wish to remind my colleagues that I am not campaigning for anyone. I will not put my name forward, but I would like to remind honourable senators that of the four members of the committee, two are from Quebec and two are from Western Canada. No senator from the four Atlantic provinces is on the committee. I hope the committee, in its secret deliberations, will take note of my representations.

[Translation]

#### CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

##### OTTAWA—DENIAL OF LICENCE TO FRANCOPHONE RADIO STATION

**Hon. Maria Chaput:** Honourable senators, the Alliance des radios communautaires du Canada is still reeling from the shock of a decision by the CRTC, which has just refused to allocate one of the four licences for the Ottawa area to a French language community radio station in Ottawa. The CRTC has not granted the request for a radio broadcasting licence to Radio communautaire francophone d'Ottawa. This is a huge loss to all of this country's francophone and Acadian communities, and it means one fewer member of the alliance, a network that currently represents 33 francophone and Acadian community radio stations across Canada, 19 in operation and another 14 under development.

The President of Radio communautaire francophone d'Ottawa has said:

It is inconceivable that the CRTC has not given a voice to the over 325,000-strong francophone community of the National Capital. Does the CRTC need to be reminded that the Canadian broadcasting system is comprised of public, private and community components?

Alliance General Manager Serge Paquin made the following comment:

The CRTC has missed an opportunity to enhance the vitality and development of French linguistic minorities in Canada and to foster the full recognition and use of French, as required of it by section 41, Part VII of the Official Languages Act.

This decision clearly reflects a lack of understanding of the potential contribution of community radio to the cultural, linguistic and community development of Canada's francophone and Acadian communities. This situation was made clear to the Standing Senate Committee on Official Languages last winter.

I am extremely disappointed with this decision by the CRTC, which, in my opinion, shows little comprehension of our reality. There is much work still to be done.

[English]

## QUESTION PERIOD

### FINANCE

#### BANK MERGERS—DELAY IN GUIDELINES

**Hon. Donald H. Oliver:** Honourable senators, my question is for the Leader of the Government in the Senate and it deals with bank mergers. On the June 28 edition of Don Newman's *Politics* show on CBC Newsworld, the subject of bank mergers came up and the Minister of Finance said the following:

We have the Bank Act review which comes up every five years which will be coming next year. And a couple to the mergers question once you're through that one-year process of bank act review. I'm taking that into account.

Mr. Newman then interjected to observe that this would push the decision on bank mergers to 2008, to which the Minister of Finance, Mr. Goodale, replied: "It would be 2007 if I accepted the advice."

In December, 2003, the Minister of Finance promised Canadians that bank merger guidelines would be released by June of 2004. In June he said the paper would be completed by September. In September he delayed the process, further announcing to the CBC that the federal bureaucracy was too busy with other tasks.

Could the government leader assure senators that the 2007 date is an absolute deadline for the decision?

**Hon. Jack Austin (Leader of the Government):** No, honourable senators.

**Senator Oliver:** Canadian banks need the permission of the Minister of Finance to merge. The Bank Act is not the impediment for the mergers; the Minister of Finance is the impediment. We continue to wait for the guidelines. Since this is now to be done in the context of the Bank Act review, is the government considering putting those guidelines into the Bank Act?

**Senator Austin:** I will make inquiries as to the process with respect to the bank mergers issue. I believe honourable senators have heard me say before that a number of issues must be dealt with and there are stakeholder interests with whom consultation is required.

Senator Angus himself, in asking questions, noted the issue of cross-pillar mergers, which is a very lively one in debates within the financial community.

I wish to advise the Honourable Senator Oliver that I will certainly make inquiries to see what information I can bring forth.

**Senator Oliver:** We were supposed to have a decision by last fall with respect to the guidelines, with no requirement that the matter be tied to the Bank Act review. Why has a review of the Bank Act emerged now as a precondition for a decision on whether banks will or will not be allowed to merge? Is this really nothing more than an excuse to put off the decision until after the next election?

**Senator Austin:** Honourable senators, I am not able to accept the premise of the question. I will take a look at the statement quoted by Senator Oliver as made by the Minister of Finance and seek to understand it and make enquiries.

• (1350)

## THE ENVIRONMENT

### PARKS CANADA—USER FEES

**Hon. David Tkachuk:** Honourable senators, on this July 1 weekend, my question relates to the issue of user fees at Canada's national parks and historic sites. According to Parks Canada's current plan, user fees at our national parks will increase by up to 56 per cent over the next four years. The average cost of an annual family pass for national parks will go from \$89 to \$139 in the same period of time. Could the Leader of the Government in the Senate explain to us the reasons for these large increases?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, again, I will need to inform myself with respect to the announcements by Parks Canada. However, I am aware of the increasing costs of administering the national parks and the problems that have occurred due to enhanced public demand and foreign tourist demand for the use of our national parks. On the one hand, that is a very welcome event. On the other, it raises

the need for higher maintenance and, indeed, for new facilities. It has been the policy of government for several years to provide a revenue flow from those who use the parks, the so-called user-pay principle. As to the detail of Senator Tkachuk's question, I will check and try to advise next week.

**Senator Tkachuk:** These increases are quite high, a 56-per-cent increase over four years. Is it perhaps a deterrent fee to prevent people from coming to the parks?

**Senator Austin:** If that is the purpose of the policy, it would surprise me, honourable senators, because the parks have basically been created for the enjoyment of Canadians. Of course, conservation principles apply. The use of the parks is not intended to undermine the quality of the wildlife and vegetation in those parks or to spoil the natural beauty that was the initial reason for creating the parks.

Honourable senators, I will do my best to provide a policy statement by Parks Canada with respect to the enhanced user fees.

## AGRICULTURE AND AGRI-FOOD

### PROBLEMS IN FARM COMMUNITY— POSSIBILITY OF REVIEW BY JOINT PARLIAMENTARY/INDUSTRY COMMITTEE

**Hon. Leonard J. Gustafson:** Honourable senators, I am almost concerned about asking these questions on agriculture because it is such a desperate situation. While our committees have done good work and have put out some positive suggestions, not much is happening to change the situation. We have experienced BSE or mad cow disease, global commodity prices at an all-time low, droughts and frosts. In Manitoba, Saskatchewan and Alberta, they now have floods.

I feel there is an absence in Bill C-48 of anything dealing with agriculture, so I wonder if an all-party committee could not be struck to look into the national problems that agriculture is facing. It is important to all regions of the country to have some kind of positive push from all political parties to look at this serious situation that will affect this whole country.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I concur in Senator Gustafson's description of the problems and difficulties that have been occasioned in our agriculture sector, and he has enunciated a number of those issues. As senators know, net farm income in this country has dropped dramatically as a result of these events.

The government has not waited for its budget bills to support various agricultural communities. Honourable senators are aware that more than \$2 billion has been placed behind the cattle industry, and additional hundreds of millions of dollars to assist the grain industry and other special agricultural sectors.

The idea of an all-party committee is one that I will certainly mention to the Minister of Agriculture. It would be a committee, I take it, in the other place, or perhaps a joint committee of the two chambers. A comprehensive study of the condition of Canadian agriculture is something that would do a great deal to inform the Canadian public of the circumstances.

[ Senator Oliver ]

Since I do not yet know, perhaps Senator Gustafson or the chair of the Agriculture Committee could inform us what the crop prospects look like for 2005. If the senator had a supplementary question, perhaps he could give us some information.

**Senator Gustafson:** Honourable senators, the crops in the areas where there has not been flooding look pretty good. The problem is with the flooding areas. A flood is harder to deal with than a drought. You can drive through a drought, but a flood you cannot. You cannot do anything about it except stand back and wait for the water to go down. The farmers that are facing flooding are in the most serious situation right now.

I would ask that it be a joint committee, not just of the Senate and the House of Commons, but also of the agricultural industry. I am pleased that the minister gives audience and listens to our requests, but he is also in a position of power where he can do something, and I would be pleased if he would.

**Senator Austin:** I wish I could do what I wanted to do because I am a minister, but those of us in this chamber who have been in the ministry know that negotiating with one's colleagues is a time-consuming and sometimes aggravating business. Each of us may have a little bit of something, but it is the collective cabinet that has the power.

Having said that, honourable senators, I want to use the opportunity of Senator Gustafson's question to come back to something that I have advocated for a long time. Senator Gustafson mentioned including persons from the agricultural community. Our Standing Senate Committee on Rules, Procedures and the Rights of Parliament has discussed what we called a Senate citizens' commission, although we have never enacted a rule to create such a body. If there is interest in this vehicle, I would be delighted to bring to the committee the background material that I have. The essential concept is almost what the honourable senator has said: It would be a standing committee or a special committee of the Senate which would include the public for the purpose of acting as participants in asking questions and giving special advice based on their knowledge. When it came time to write a report, of course, the non-senators would be discharged from the committee because only the senators can deal with a report and make a recommendation to the chamber. It is a vehicle that would make the Senate more accessible to the public and make its work more transparent. I think it would meet one of the public desires to be more involved early in the process, not simply after a decision or when a decision has virtually been taken.

I do not know whether that has any interest in this chamber, but as to Senator Gustafson's specific question, I will discuss the possibility of a joint Senate and House of Commons committee with the Minister of Agriculture.

**Senator Gustafson:** On a supplementary question; and I gave some consideration to whether I should even mention it. I phoned a representative of the Canadian Wheat Board the other day and he told me of the number of suicides amongst farmers because of the depressing situation. I know of four suicides just in my area. One honourable senator from Manitoba mentioned that a machine dealer in that region took his life a couple of days ago. God forbid, but this kind of thing happens. There are better ways

to respond; walk away, leave, do something else. I raise this matter only to let honourable senators know that this is a serious situation for Canada.

• (1400)

The Government of Canada must do something. This is a great country, as was said by leaders of both sides of the Senate earlier this afternoon. Canadians will hold us responsible if something significant is not done. We have the wherewithal to do something.

**Senator Austin:** As honourable senators will know from previous exchanges, I concur with Senator Gustafson with respect to the serious situation in parts of the agricultural sector, particularly in the grain sector at the moment.

In adding to what the honourable senator has said, we should do nothing to impair our access to important foreign markets for the products sold by the Canadian Wheat Board.

**Hon. Wilbert J. Keon:** Honourable senators, during the recent hearings of the Standing Senate Committee on Social Affairs, Science and Technology on the subject of mental health, I was dismayed to discover that the population in the Western provinces is so stressed out that they have set up communication and telephone networks for counselling because of the risk of suicide among some of the younger people and others. They seem to have totally lost their ability to cope with the disastrous situations they are facing. What will the Government of Canada do about this situation?

**Senator Austin:** Honourable senators, this is a serious situation. The first step for this chamber would be to receive the report of the committee on mental health and debate it here, and at the same time ensure that Canadians are made aware of the work of the committee and its conclusions.

I have no doubt in my mind that the study on mental health in Canada is one of the most important studies in recent times in the Senate. I am told that at one time or another mental health issues affect one out of five Canadians. That is an incredible fact that is not known by most people in Canada. Let us all make an effort to ensure that Canadians are made aware of the study and its importance. Then we will push the government to respond.

## JUSTICE

### COMMISSION OF INQUIRY INTO SPONSORSHIP PROGRAM AND ADVERTISING ACTIVITIES— REPRESENTATION OF CROWN COUNSEL

**Hon. Marjory LeBreton:** Honourable senators, in response to a question posed yesterday by my colleague Senator St. Germain about Department of Justice lawyers making personal representations on behalf of Prime Minister Martin and former Prime Minister Chrétien at the Gomery inquiry, the Leader of the Government in the Senate said:

This policy is very long-standing, and it took place with respect to Prime Minister Brian Mulroney in certain events that may be recalled by Senator St. Germain and others at other times.

Can the Leader of the Government in the Senate inform us what these certain events were?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, first of all, Senator LeBreton uses the phrase “personal representations” and counsel do not make personal representations, they make professional representations. Officials of the Ministry of Justice act in a professional capacity, not in a personal capacity.

What I was referring to generally yesterday, honourable senators, was that a number of persons in the Mulroney government were the subject of prosecutions and suits and Justice Canada defended those persons at the cost of the Government of Canada. That is entirely appropriate. That is the role of the Government of Canada with respect to its officials.

**Senator LeBreton:** Honourable senators, with respect, when I said “personal”, I was assuming that lawyers are professionals at all times. I was referring to the representations that Justice department lawyers made personally about both Prime Minister Martin and former Prime Minister Chrétien even though they had personal lawyers representing them at the Gomery inquiry.

In his answer, the Leader of the Government of the Senate said, “... with respect to Prime Minister Brian Mulroney...” He did not mention the government. All honourable senators know that when actions are taken against ministers of the Crown or anyone involved in government, government lawyers often represent them. The minister specifically referred to Prime Minister Brian Mulroney and said, “... certain events that may be recalled by Senator St. Germain...”

I am simply asking that he, and he may not be able to do it today, put on the record the certain events he was referring to in specific reference to former Prime Minister Brian Mulroney.

**Senator Austin:** Honourable senators, I was not referring to Prime Minister Brian Mulroney personally. I should have said with respect to Prime Minister Mulroney’s era, the period in which he was Prime Minister. If I did not say that, I am clarifying it now.

**Senator LeBreton:** I thank the minister for that clarification. However, there are many examples, and certainly I know because I was in the Prime Minister’s office when members of the public took action against a minister of the Crown and naturally the Department of Justice defended them. This particular question dealt with the Gomery inquiry which has a specific reference and mandate. The honourable senator did clarify. However, he made a reference directly to Prime Minister Brian Mulroney. Therefore, I would like to see — since the leader did try to clarify it — in the context of the Gomery inquiry, what certain events Department of Justice lawyers were acting upon or making favourable representations on behalf of former Prime Minister Brian Mulroney.

**Senator Austin:** Honourable senators, that was not my meaning, as I have just said.

[ Senator LeBreton ]

Senator St. Germain asked me a question with respect to the role of government counsel at the Gomery inquiry. I went to some length to explain what the role was. Again, I had no intention of referring specifically to Prime Minister Mulroney, but to the Mulroney era in Canadian politics and the role of the Department of Justice in dealing with various ministers and officials at that time.

**Senator LeBreton:** Will the Leader of the Government in the Senate then provide for us — using the framework of the Gomery inquiry — what role the Department of Justice lawyers played in representing Prime Minister Brian Mulroney or one of his ministers in a similar type of inquiry, for instance, the Parker inquiry into the actions of Sinclair Stevens?

**Senator Austin:** Honourable senators, I will do what I can to provide some historical data. There have been a number of inquiries through the years.

If Senator LeBreton is saying that there were no government lawyers who were involved in an inquiry under the Inquiries Act in making representations on behalf of a government official or minister, I would be very happy to try to confirm that.

**Senator LeBreton:** Perhaps I could ask a final supplementary question so as not to make this too complicated. The minister spoke of certain events. Could he provide for us the certain events where Department of Justice lawyers worked on behalf of Prime Minister Mulroney or one of his ministers? We would like just the events, not all the details of the lawyers.

• (1410)

**Senator Austin:** Honourable senators, I would be happy to provide examples.

## INFORMATION COMMISSIONER

### ONE-YEAR EXTENSION OF TERM OF MR. JOHN REID

**Hon. Noël A. Kinsella (Leader of the Opposition):** Honourable senators, the term of John Reid, Parliament’s Information Commissioner, is almost at an end. On June 15, by a vote of 277 to 2, the other place concurred in a report of its Standing Committee on Access to Information, Privacy and Ethics:

That the appointment of John Reid, the Information Commissioner of Canada, be extended by an additional term of one year, effective July 1, 2005. This recommendation would not preclude Parliament from further extending the appointment after the one year extension.

July 1 is tomorrow. As of today, there has not been — or, at least, I have not seen — any announcement of either a reappointment of Mr. Reid or of a replacement. As honourable senators know, the Information Commissioner is an officer of Parliament.



Could the Leader of the Government in the Senate advise the Senate as to whether or not Mr. Reid has been offered the one-year extension endorsed by the other place in that vote of 277 to 2, and does the government intend to respect that motion?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I regret to say that I have no information to provide on this topic.

**Senator Kinsella:** Honourable senators, hopefully somebody will be carrying out the duties of an officer of Parliament in the area of access to information.

[Later]

**Senator Austin:** Honourable senators, may I have leave to speak to a matter raised earlier?

**Senator Prud'homme:** A general election was called?

**Senator Austin:** No, but I had a request from Senator Kinsella, and I always want to respond with alacrity to anything he asks me to do.

The government has announced a three-month extension to the term of Information Commissioner John Reid, effective immediately.

## JUSTICE

### POSSIBILITY OF NATIONAL MEETING OF MINISTERS RESPONSIBLE FOR HUMAN RIGHTS

**Hon. Noël A. Kinsella (Leader of the Opposition):** On a different topic, honourable senators will know, and our colleagues serving on the Standing Senate Committee on Human Rights have expert knowledge, that much federal, provincial and territorial collaboration must occur for Canada to meet its international human rights obligations, whether in the reporting process or in the compliance process. There has not been, in over a decade, a federal-provincial-territorial meeting of ministers on human rights.

Will the Government of Canada assume the leadership that it used to exercise in convening, from time to time, a meeting at the ministerial level of ministers responsible for human rights legislation in Canada, in the provinces and in the territories?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I will certainly make that same representation just made by Senator Kinsella to my colleagues in cabinet, particularly the Minister of Justice.

While I am on my feet, the Minister of Justice has advised me that he is prepared to support Senator Kinsella's bill, Bill S-41, with certain amendments to make it comply with international practice.

**Senator Kinsella:** I thank the honourable minister for that good news. Obviously, the role of this place is to consider legislative proposals, have wholesome debate and be open to creative, innovative and important amendments with all pieces of legislation. I look forward to that debate.

By way of a supplementary question, the Chair of the Standing Senate Committee on Human Rights reminds us that it may be more than 15 years since there has been a meeting of federal, provincial and territorial ministers with responsibility for human rights legislation, domestic legislation as well as that coordinated responsibility for Canadian compliance with the international human rights instruments. I thank the minister also for offering to make that representation.

## 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. The first is in response to a question raised on June 8 by Senator Oliver regarding debit card fraud.

[Translation]

Then, I would like to table an answer to an oral question raised on June 21 by Senator Comeau concerning the annual report of the COL and services to Acadians on Prince Edward Island.

## INDUSTRY

### DEBIT CARD FRAUD

*(Response to question raised by Hon. Donald H. Oliver on June 8, 2005)*

Industry Canada repeats survey questions over time in order to identify trends. In this case, there is an apparent trend to rapidly-increasing debit card fraud. That is, in 2001, Ekos found that roughly 1 per cent of Canadians had been the victim of debit card fraud; by 2004, this had risen to 4 per cent.

The cost of the questions asked in 2003 was \$5,280.00; in 2004, it was \$3,780.00.

The responses to these surveys were forwarded by Industry Canada to the current chair of the Electronic Funds Transfer Working Group, Finance Canada. The EFTWG oversees the Canadian Code of Practice for Consumer Debit Card Services. This is a voluntary code.

Direct payment via debit card became available nationally in 1994. Use by Canadians for direct payments grew from about 395 million transactions in 1995, to over 2.8 billion transactions in 2004, for a total dollar value of goods and services purchased of over \$120 billion. On a per capita basis, Canadians use debit cards more than anyone else in the world.

## OFFICIAL LANGUAGES

ANNUAL REPORT OF COMMISSIONER—  
PRINCE EDWARD ISLAND—SERVICES TO ACADIANS

*(Response to question raised by Hon. Gerald J. Comeau on June 21, 2005)*

The Commissioner indicates in her annual report that given the insufficient volume of observations that were conducted in relation to the established sample, the results for Prince Edward Island are not necessarily representative of the services offered and must therefore be used with caution. Thus, it is not really possible to draw specific conclusions on the basis of the results for that region.

It should be noted that as of March 31, 2005, 424 of the 455 incumbents of bilingual positions in Prince Edward Island met the language requirements of their positions. Therefore, the capacity to greet the French-speaking public is much greater than what is reflected in the Commissioner's report.

The government is committed to enhancing the vitality and supporting the development of official language minority communities in general, and Acadians in particular. It was to that end that the government unveiled in March 2003 its Action Plan for Official Languages, a five-year, \$750-million plan that places strong emphasis on the development of these communities.

The Public Service Human Resources Management Agency of Canada is working to implement the action plan's component on creating an "exemplary Public Service," which deals in particular with services to Canadians. As part of its efforts, the agency conducts, among other things, awareness activities for institutions and federal councils. The agency will focus specific attention on the Prince Edward Island region in the context of its awareness activities. The Prince Edward Island Federal Council has already been contacted about this matter. The agency will thus be working with the federal council's official languages subcommittee on this issue.

[*English*]

## ETHICS COMMISSIONER

## 2004-05 ANNUAL REPORT TABLED

Leave having been given to revert to Tabling of Documents:

**The Hon. the Speaker:** Honourable senators, I have the honour to table, pursuant to section 72.13(1)(b) of the Parliament of Canada Act, in both official languages, the annual report of the Ethics Commissioner for the fiscal year ending March 31, 2005.

[ Senator Rompkey ]

## ORDERS OF THE DAY

## BUSINESS OF THE SENATE

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I would like to call the bills in the following order: No. 1, Bill S-38; No. 2, Bill S-37; No. 4, Bill S-40; and finally, No. 3, Bill C-48.

**Hon. Noël A. Kinsella (Leader of the Opposition):** Honourable senators, I have a comment on the order that we will follow. It is clearly the prerogative of the government to call government business in whatever order it wishes, although I am wondering whether there is an explanation as to why a budget bill, namely Bill C-48, would not be considered by the government to be a matter of priority rather than to be way down on the list of bills to be called. I find that extraordinary.

**Senator Mercer:** It is in the top five.

**Senator Rompkey:** It is simply the parliamentary order in which the bills are in. We are beginning debate on the budget bill. The others are nearing the end of their parliamentary process. I thought it would be useful to try to get through those and then begin the debate on the budget bill. However, I am not committed to the order. I propose that order, but it can be changed.

CRIMINAL CODE  
CULTURAL PROPERTY EXPORT AND IMPORT ACTBILL TO AMEND—THIRD READING—  
DEBATE ADJOURNED

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

He said: All honourable senators understand what is in this bill and what it does. It has the approval of both sides of the house. It amends the Criminal Code and the Cultural Property Export and Import Act by simply incorporating and enacting into domestic law in Canada the provisions of the 1954 Hague Convention concerning cultural property in areas of armed conflict.

There is nothing extraordinary about the bill except that Canada will become the first of the G8 nations to recognize the second protocol of the Hague Convention concerning this matter.

• (1420)

Honourable senators, I recommend third reading of this bill, which will actually incorporate into Canadian law the 1954 Hague Convention and all of the provisions within the meaning of that convention.

On motion of Senator Stratton, for Senator Johnson, debate adjourned.

## HAZARDOUS MATERIALS INFORMATION REVIEW ACT

### BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Eggleton, P.C., for the second reading of Bill S-40, to amend the Hazardous Materials Information Review Act.

**Hon. Ethel Cochrane:** Honourable senators, I am pleased to say a few words today at second reading of Bill S-40.

The existing legislation sets out how confidential business information, commonly known as trade secrets, should be dealt with under the Workplace Hazardous Materials Information System. This is a system used across the country to inform employers and employees about hazardous materials in the workplace. The bill before us today proposes to change the act in three main areas.

The Workplace Hazardous Materials Information System was jointly developed by industry, labour, and federal, provincial and territorial governments. It was enacted through several pieces of federal legislation and in the provinces through their occupational health and safety legislation.

This particular system requires the makers, importers and distributors of hazardous materials to provide information on the risks associated with these problems. They must provide the people who work with controlled products with instructions in a variety of areas, such as proper storage, transportation, handling, disposal, and of course first aid treatment. This information is placed on a product's mandatory material safety data sheet or label. The data sheets are used in required workplace safety training programs for the employees. The sheets must be updated every three years or when a change occurs.

I am sure that honourable senators will agree that the safety of individuals in the workplace is of utmost concern. It is also important to uphold the right of a manufacturer to keep their secret chemical ingredients away from their competitors. The current process under the Hazardous Materials Information Review Act provides a process by which manufacturers can prove their compliance with the law and make safety information available to workers while at the same time protecting the privacy of their business information.

Under the current system, suppliers and employers may file a claim under the Hazardous Materials Information Review Commission to exempt the disclosure of a chemical's identity, the concentration of an ingredient of a controlled product, or the name of a study which identifies any ingredient of a controlled product. The commission then decides if the claim is valid.

Honourable senators, as I said earlier, this bill amends the existing legislation in three main areas. First, it changes the information that must be provided by a manufacturer or an employer to substantiate an exemption claim. Currently, claimants must provide a full economic justification for their

exemption claims based on their private business information. This bill will change the legislation to state that an exemption claim can contain a declaration stating that the information provided to support the exemption is confidential business information and that it will be provided upon request. An exemption claim must also contain a summary of the information supporting the claim, and it must be accompanied by a material safety data sheet.

A screening officer with the Hazardous Materials Information Review Commission may ask the claimant to provide the information if an affected party makes a written representation relating to the claim or if the information must be verified.

Second, Bill S-40 would add a new section to this act to deal with the authority of screening officers and what are known as undertakings. If a screening officer determines that a material safety data sheet related to an exemption claim does not comply with the Hazardous Products Act, or even the Canada Labour Code, they may send an undertaking to the claimant. It would set out the measures required for compliance within a specific period of time without requiring that the claimant disclose their confidential business information.

The bill lays out the procedure to be followed if the claimant agrees to follow the measures that will enable compliance with the law. However, if the screening officer is not satisfied that the claimant has taken the necessary measures in the specified time period, they may issue an order to comply with the Hazardous Products Act or the Canada Labour Code. The chief screening officer may have published in the *Canada Gazette* decisions and orders relating to exemption claims and compliance orders.

Finally, this bill would change the act to allow claimants and affected parties to appeal these decisions and these compliance orders. The current legislation does not allow any participation by the commission in the appeals process. A screening officer's record of the undertaking and any clarifications made by the commission would be added to the basis upon which an appeal board will hear an appeal. An appeal board may dispose of an appeal either by dismissing it or by allowing it with an appropriate order.

Honourable senators, I am of the opinion that this bill should proceed to committee for further examination. During that study, I hope the committee will confirm the level of provincial input into the formation of these amendments and the subsequent level of support they have received from each of the provinces.

The federal government received approval from the provincial and territorial representatives on the commission's advisory body, the Council of Governors, but not direct approval from the provincial ministers. The Hazardous Materials Information Review Act states that the council may contain as few as four provincial and territorial representatives.

I also note that the federal government says that industry and organized labour have expressed their support through their council representatives.

Perhaps the committee will also look into the length of time it took to craft and bring forth these amendments. According to the commission, it began a renewal program in 1998, partly to address stakeholder concerns with certain aspects of the review process and, of course, the appeals process. Four years later, in 2002, it brought forward proposed amendments that were recommended to the former Minister of Health, Anne McLellan.

Another three years passed before this legislation was introduced by the government here in the Senate. The process that was taken to identify these problems, to draft suitable amendments and to present them to Parliament has moved at a very slow pace, as I am sure honourable senators would agree.

I am sure these questions and any others that may arise will be carefully studied during the committee's examination of this bill.

**The Hon. the Speaker *pro tempore*:** Are senators ready for the question?

**Hon. Senators:** Question!

**The Hon. the Speaker *pro tempore*:** Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and bill read second time.

• (1430)

REFERRED TO COMMITTEE

**The Hon. the Speaker *pro tempore*:** Honourable senators, when shall this bill be read the third time?

On motion of Senator Cowan, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

#### BILL TO AUTHORIZE MINISTER OF FINANCE TO MAKE CERTAIN PAYMENTS

SECOND READING—DEBATE ADJOURNED

**Hon. Art Eggleton** moved second reading of Bill C-48, to authorize the Minister of Finance to make certain payments.

He said: Honourable senators, I am pleased to speak today on second reading of Bill C-48, which proposes further investments in the priorities of Canadians.

Before I say anything else about this bill, let me emphasize two points. First, these investments will be made from unplanned surplus funds. In fact, the bill states that any spending is conditional on their being a surplus of at least \$2 billion in the two fiscal years 2005-06 and 2006-07 or this money does not get spent.

Second, while the New Democratic Party was involved in the establishment of this particular bill, it would be a mistake for any of my honourable colleagues to call this an NDP bill because the investments are based on Liberal programs and Liberal government priorities.

[ Senator Cochrane ]

What are these priorities? These are priorities that all senators would support: for example, \$1.6 billion for affordable housing; \$1.5 billion for post-secondary education; \$900 million to the environment; and \$500 million for international assistance. I wanted to get something for Toronto, but that is the extent of the list.

The Government of Canada has made significant investment in these important areas in recent years and Bill C-48 enhances those investments.

[*Translation*]

At one time, we were in no position to make these additional investments. My colleagues probably remember the annual deficit in excess of \$40 billion we inherited when we regained office. Furthermore, the economy was weak, the unemployment rate was high, and consumer and business confidence was low.

[*English*]

In the 1992-93 fiscal year, the last full year of a Conservative majority government under Brian Mulroney and Kim Campbell, federal spending as a share of GDP reached a watermark level of 16.8 per cent. Even after we consider this year's budget bills, government spending is approximately 12 per cent of GDP — 12 per cent under a Liberal government versus 16.8 per cent under a Conservative government. That is quite a difference. We are proposing this bill within a balanced budget, with no deficit spending and with further reduction of the debt.

Further, honourable senators, Bill C-48 increases the ratio of government spending by only 0.1 to 0.2 per cent of GDP. This is hardly a reckless spending spree.

It is the government's strong fiscal management, coupled with hard work and sacrifices that Canadians have made over the years, that has put us where we are today. The Canadian economy is strong. The unemployment rate is close to a 30-year low. Consumer and business confidence is strong. What is more, since 1997 Canada has posted the best improvement in living standards in the G7.

Coupled with that, this sharp improvement in our standard of living compared to our G7 colleagues has been driven by a combination of the fastest growth in the share of the population that have a job, and solid productivity performance. In fact, the OECD expects Canada to be amongst the fastest growing G7 economies this year and next, second only to the United States.

There is more. Canada will record its eighth consecutive surplus in 2004-05, a record unmatched since Confederation, a record never achieved by any Conservative government.

Canada's much-improved fiscal situation has allowed this government to make significant investments in the priorities of Canadians. Once the fiscal situation turned around and we balanced the books, the government began the process of paying back Canadians for the sacrifices they had made. We reduced taxes; we put money into health care and education; we invested

in infrastructure, research, innovation, national security and the environment. Bill C-48, the bill before us today, builds on those investments in a number of key areas.

Let us take a moment and look at them individually. First, the bill proposes \$1.6 billion for affordable housing initiatives. This government recognizes the importance of strong communities, which are the social and economic foundation of this country. Whether it be in cities or villages, our communities have a significant bearing on our quality of life.

[*Translation*]

The economy is strong, but rental housing is still expensive and in short supply, particularly in major urban centres. As a result, a number of Canadians, especially low-income earners, have difficulty finding affordable housing. In order to resolve this problem, the Government of Canada has invested \$2 billion in programs to help alleviate homelessness and create affordable housing. These programs have not yet been fully implemented. In most instances, program funding will continue to increase over the next year.

[*English*]

One example of what we have done is illustrated by Budget 2001, which announced \$680 million over five years to help increase the supply of affordable housing. Bilateral cost-sharing agreements were subsequently signed with all 13 provincial and territorial jurisdictions in Canada. A top-up of \$320 million over five years was announced in Budget 2003, bringing the total federal investments in affordable housing to \$1 billion over six years.

Honourable senators, the government continued to do more in the 2003 budget when it announced the three-year renewal of the government's housing renovation programs at a cost of \$128 million per year. These programs support the renovation and renewal of the existing stock of affordable housing and help low-income persons with critical housing repair needs.

It is important to mention that the government continues to spend some \$1.9 billion per year in support of existing social housing units. It is on that basis — that Liberal government program — that we continue to build with this additional investment.

Let me take a few moments to talk about an issue of particular concern to the government — homelessness. It is a particular concern of mine, considering the impact it has on large urban centres such as my own hometown of Toronto.

The issue is without a doubt complex; both the people and the factors that have led them to becoming homeless are varied and diverse. The Government of Canada needed to take action, so it announced the National Homeless Initiative in 1999, a three-year plan to help ensure community access to programs, services and support for alleviating homelessness in communities located in all provinces and territories. In Budget 2003, the government renewed the initiative for an additional three years and a further

investment of \$405 million. Under this program, communities will be provided with the support they need to further implement measures to help homeless individuals and families become more self-sufficient. The mayors of cities all across the country have sung the praises of that program for the help it has provided in countering homelessness. This bill builds upon these worthy initiatives by providing additional funding for affordable housing.

• (1440)

In recognition of the critical shortage of adequate housing on our First Nation reserves, Bill C-48 also includes new funding for Aboriginal housing. It is important to note that this funding is not tied to matching funds from other jurisdictions. We are not forcing the provinces or the municipalities to put in additional money.

Post-secondary education remains a priority for the Government of Canada. It is key to the future prosperity of the country. The government recognizes the importance of a solid education in today's competitive workplace. The government's primary support for post-secondary education is through transfers provided to the provinces and territories under the Canada Social Transfer. In addition, almost \$5 billion a year in direct support is provided through such initiatives as financial assistance for students, measures to encourage families to save for the post-secondary education of their children, funding of university research and research infrastructure, and generous tax measures to recognize the costs of pursuing a post-secondary education. These measures were all introduced in the last few budgets.

The second proposal in Bill C-48 supplements these existing measures to help Canadian students attain their educational goals. Specifically, it will provide \$1.5 billion to increase access to post-secondary education, with a substantial portion to support students from low-income families, as well as training money to supplement labour market agreements.

The third part of Bill C-48 proposes \$900 million for environmental measures, the bulk of which will be focused on helping municipalities to improve their public transit systems.

[*Translation*]

Honourable senators, long before it introduced this bill, the government had already taken steps to help Canadian communities assume the cost of their infrastructure. For example, in Budget 2004, the Government of Canada began to implement elements of the New Deal for Cities and Communities by giving the municipalities a full rebate of the GST. Thanks to this initiative, municipalities will have access to more than \$7 billion over ten years in order to fund their urgent infrastructure needs, such as roads, public transit and water treatment systems.

The full rebate of the GST represents a significant source of ongoing, stable and long-term funding for all municipalities throughout Canada.

[English]

We did not stop there. The sharing of a portion of the federal gas tax revenue under the New Deal for Cities and Communities in the amount of \$5 billion over the next five years will also contribute to environmental sustainability. These funds will be invested in important municipal infrastructure projects, one of which is public transit.

Although the major portion of the \$900 million for environmental measures in Bill C-48 is aimed at public transit, it is important to mention that a part of the money will go to helping low-income individuals and families retrofit their homes and make them more energy efficient. This will complement an existing program, the EnerGuide for Houses Retrofit Incentive, which encourages Canadians to take action and make energy efficiency improvements to their homes that can increase comfort and reduce energy bills.

Honourable senators, the final proposal in this bill is the \$500 million for international assistance. Canada's growing prominence in the global community has made providing assistance to developing countries an issue of major concern to the Government of Canada and the people of Canada, particularly with respect to debt relief for the most heavily indebted poor countries in Africa.

Canada has been very active on this file. In fact, Canada has a long tradition of leadership in this matter. It was in the 1990s, largely at the initiative of the Prime Minister, who was the Minister of Finance at the time, that the issue of debt relief was given particular focus and emphasis in the international arena around the G7, the G8 and ultimately the G20 meetings. The Prime Minister continues to champion debt relief for poor countries. Bill C-48 forms an integral part of this action by proposing additional funding for international assistance. That new money will help ensure that money goes where it is most effective and will do the most good.

In closing, honourable senators, each proposal contained in this bill complements existing commitments that the government has made to Canadians. This is part of the continuation of a program developed through a number of budgets over the last few years. As long as we achieve the threshold of \$2 billion in surplus, Bill C-48 will allow us to do more. How it is best to deliver on these commitments will be determined through consultations with affected parties and the various departments involved, although I have given you some indication of some of the priorities, such as public transit and retrofitting.

I reiterate that any new spending is conditional upon there being a surplus of at least \$2 billion in the next two fiscal years. The Prime Minister, the Minister of Finance, and the government as a whole have made it clear that we are not going back into deficit. We have proven that we know how to properly manage the finances of this country over more than a decade, and that will continue.

I ask honourable senators for their support for this bill.

**Hon. Senators:** Hear, hear!

[ Senator Eggleton ]

**Hon. Donald H. Oliver:** Honourable senators, I heard Senator Eggleton stress on three occasions that, if the threshold of a \$2-billion surplus is not reached, payments will not be made pursuant to this bill. Does that mean that there can be no payments until the end of this fiscal year, when the government will be able to determine whether it has achieved a \$2-billion surplus?

**Senator Eggleton:** There would certainly have to be assurance that the \$2-billion threshold will be met, and I could not say exactly when we would have that assurance. The safest course of action would be to wait until the end of the year. I am sure that the timetable for payments will be worked out on the basis of an assurance that the surplus is in place.

**Senator Oliver:** Is there currently a plan to spend money prior to the end of this fiscal year to fulfill the housing and other commitments the honourable senator addressed? Will there be parliamentary scrutiny of the plan for how and when these payments will be made?

**Senator Eggleton:** We do not plan to spend any money not yet in place. The plan will only be executed when there is money to spend. As I indicated, there are already programs in place in each of these areas that can form the basis of this additional expenditure. Those are things to be worked out with the departments and the stakeholders in the areas of, for example, housing and environment before the expenditures are made.

First and foremost, we need to achieve the \$2-billion surplus.

**Senator Oliver:** Does the honourable senator know whether there is currently a strategic plan in place that indicates how and when specific spending can take place on such things as housing?

**Senator Eggleton:** No plan is in place as yet, because the money is not yet assured. As the Minister of Finance recently said, the departments will be examining various options and talking with the stakeholders with the aim of developing the plan.

• (1450)

**Senator Kinsella:** How do you know how much money you need then?

**Hon. Gerald J. Comeau:** I will not get into the question of taking the credit for how the government got out of its deficit situation. We could mention free trade, the GST, the increases in UI, the cuts in health care over the years and so on. We will not touch that subject for the moment, however. That is a different subject.

I come back to the point. This is a two-page document prepared by Buzz Hargrove and Jack Layton. In the process of accepting the proposal, it undermined in an extreme manner the credibility of the Minister of Finance. Had it happened to one finance minister, our present Prime Minister, back in his day it would have been seen as quite incredible. However, that is not the point.

My colleague alluded to the fact that there is no plan in any of the documents tabled today. I know the honourable senator has gone through quite a bit of the history, but there is no plan whatsoever. This is one of the great problems and the hallmarks of this current government. This government keeps thinking that

the measure of a government's ability is through the amount of money thrown at a problem. We have seen the results of that practice over the years, such as in the firearms program where the \$2 million earmarked for firearms' registration came out to \$2 billion in the end. We have seen it with the HRDC boondoggle. We have also seen it as a response and what led to the sponsorship scandal in Quebec as a result of the 1995 referendum. In that case, the government thought just throwing money at the problem would solve it. Again, we seem to be hitting the same kind of measure that the government uses to deal with its commitment to Canadians, that is throwing money at the problem.

On the question of the plan, I have a specific question for the minister. He noted that there would be money for public transit. Could the honourable senator indicate whether some of this money for public transit will go to rural areas as well as to urban areas?

**Senator Oliver:** Good question.

**Senator Eggleton:** Perhaps the Honourable Senator Comeau does not want to refer to the difficulty we had with respect to deficits, but I will say this: It is because of the poor fiscal management of the Conservative government. That is the reason. It took a lot of determination on the part of a Liberal government, whose Minister of Finance was our present Prime Minister, to get us out of the mess we were in — to get us from a situation where we were being referred to as the basket case of the G7 to where we are now, one of the best and strongest performers in the G7. That is something that was accomplished by the Liberal government and not by the Conservative government.

With respect to the firearms, I am sorry to hear the senator keep raising this issue because that particular program is a success in terms of saving the lives of Canadians. It is a success in terms of giving police access. There are 2,000 hits a day on that system because of information that the police want. It is supported by well over 70 per cent of Canadians. Why not get with it and start to support something that is helping to protect the lives of people in this country?

If the honourable senator wants to talk about the track record, I can repeat a lot of my speech, both on this bill and on Bill C-43. In eight years of consecutive surpluses we have created more jobs than most other countries in the G7. The economic performance is there, it is solid and it is something that this government, together with the people of Canada, have helped to ensure.

This is not throwing money away and this is not throwing money at a problem. I tell you, this is building on existing programs. The honourable senator likes to speak about Buzz Hargrove and Jack Layton. Yes, we all know the NDP end of it and we all know the realities of minority government. We all know that Bill C-43 was standing on its own until Mr. Harper decided to pull the plug on it because he wanted to pull the plug on the government. The opposition is saying that the government must remember that it is in a minority situation, that it cannot act

like a majority and must be prepared to talk. Then when the government started talking with another party because Mr. Harper did not want to continue to support the government on the budget, what else would you expect?

**Some Hon. Senators:** Hear, hear!

**Senator Eggleton:** Of particular importance here is not the Layton and Hargrove involvement, but that these programs continue to follow the government's priorities. Is the honourable senator against affordable housing investment? Is the honourable senator against environmental protection? Is he against investment in post-secondary education? It cannot be said that that is throwing money away. That is putting money where Canadians want it so it can be invested in their future.

**Some Hon. Senators:** Hear, hear!

**Senator Comeau:** I will repeat what I said before: Thank God that the former Prime Minister changed his mind on ripping up the Free Trade Agreement, changed his mind on ripping up the GST and changed his mind on a whole number of things which made it possible for the senator to snap his suspenders today and say how great his government is.

Regarding that crack about wasting money, I did not comment about wasting money. I said "throwing money at problems without a plan." Those are the words I used. Give us a plan. The proposals are all things we can all support on this side. Do not accuse us of not supporting affordable housing. Do not accuse us of not supporting protection of the environment. Do not accuse us of not supporting Aboriginal communities. These are all things we support and we have for years. What we do want to do and what we intend to do is to be able to have a plan so that we make it right. We do not throw away money at problems, like I mentioned with the firearms.

When the firearms program registration was brought together, had we looked at it and said, "We have \$2 billion. Do we use it on registering firearms from law-abiding citizens or spend it on setting up youth centres and border controls and all kinds of things we might have come up with in considering a different solution?" However, that involves a plan. That is what we are trying to get at here.

My question is a very specific one, which I posed in my original question to the honourable senator. Is there any money in this budget for public transit, for rural as well as urban areas?

**Senator Eggleton:** I only wish the Conservative government had had a plan for deficit reduction and stuck with it, but obviously it did not. That is why we had to take action.

However, I will specifically answer Senator Comeau's question. Yes, the new deal for the cities and communities involves rural areas. I believe the \$800 million that has been assigned for transit would involve transit, regardless of whether it is urban or rural. The intent of the government on the infrastructure program has been to bear in mind, as I think I said, cities, big and small, and villages; all will be part of the infrastructure programs.

**Senator LeBreton:** Good answer, Mr. Mayor.

**Hon. Leonard J. Gustafson:** It is probably dangerous to ask the honourable senator a question when he is on a roll like this.

• (1500)

I was quite concerned when I heard that business leaders — heads of the Royal Bank, heads of other banks, heads of the business community, heads of the Power Corporation — came out and said they were concerned about the reckless spending that the Prime Minister and Mr. Layton put upon the Canadian people and that our standard of living might be seriously affected. Can the honourable senator explain why these business leaders are so exercised and concerned?

**Senator Eggleton:** The honourable senator raises a good point because some business leaders have made comments. I have not had the opportunity to read their comments directly. I have read press reports of what they supposedly said, but I do not know how accurate they are. The press is certainly categorizing the situation in a way that I would suggest is not correct. It is ill-informed.

I can understand people would have concerns and would want to express them. They want to ensure that we do not go in that direction. That is a fair comment. This government has demonstrated, both in the past and with the commitments that the Minister of Finance has made, that no, we will not go down that slippery path back into deficit or the negative economic situation we had at one time. We have made that abundantly clear. In that respect, what the business leaders say is quite useful, but to suggest that this is reckless spending is not correct at all.

**Senator Gustafson:** Representatives of the business community, 150 major business leaders in Canada, made this statement. One cannot take that as anything but being serious. I ask again, how can the honourable senator condone the reckless spending that went on? It seemed there was money for everything. There was money to buy a minister's position. It seemed there was money for everything if it was politically convenient.

**Senator Eggleton:** Honourable senators, the only reckless spending I condemned was that of the Conservative government whose spending climbed to 16.8 per cent of GDP, whereas our government has kept federal spending down to 11 or 12 per cent of GDP. As I pointed out in my remarks, Bill C-48 only increases the spending this year by 0.1 to 0.2 per cent. How can those opposite say that 0.1 to 0.2 per cent is reckless spending? That is just not true. It is just not the case.

Again, I respect the business leaders' desire to see that we continue upon a sound fiscal path. That is reasonable. Clearly, the record of the government is to that effect. Clearly, the commitment of the finance minister and the Prime Minister is to that effect.

**Hon. Noël A. Kinsella (Leader of the Opposition):** If I jotted down my note correctly, the honourable senator mentioned that

most of the \$900 million for public transit will go to the City of Toronto. Is there a plan that most of it not go to Toronto? Is any of the funding going to the public transit system in Saint John, New Brunswick?

**Senator LeBreton:** Or Edmonton, Alberta?

**Senator Kinsella:** Is there a plan that lays out the process as to how the \$900 million for public transit will be distributed?

**Senator Eggleton:** The honourable senator asks a good question. When Bill C-48 is referred to committee, which I hope will be soon, officials will have an opportunity to report on the details of how they see that money being distributed.

As I understand it, the money is, to a great extent, being distributed on ridership. Sure, the City of Toronto has a fair bit of ridership. However, it has always been the intent of the government to ensure that all sizes of communities are included in the infrastructure funding program.

**Senator Kinsella:** Finally, how much will student indebtedness be reduced by the provisions contained in Bill C-48?

**Senator Eggleton:** That again, honourable senators, will be worked out by the departments in discussion with the stakeholders. My honourable friend should also ask that question of the Minister of Finance when he appears before the committee. I hope the opposition leader will want to get the bill there very soon.

**Hon. Madeleine Plamondon:** I think this is a very good bill. My concern is that if the \$2 billion threshold is not met, what would be the government's priority? Would it be the environment? Would it be post-secondary education? How do I know the priorities?

**Senator Eggleton:** That is an excellent question, and it should be put to the minister at the committee hearings. Obviously, if the \$2 billion threshold is not reached, nothing is spent. However, I believe the question is, what if the amount is over \$2 billion but not quite enough to do all of this, which is \$4.5 billion? This is \$4.5 billion over two years. It would not necessarily have to be done in one year. How it would be apportioned at that point, whether it be proportioned to this allotment of the \$4.5 billion, I do not know. I would certainly want to find that out, and we should explore that in committee with the minister.

**Hon. Lillian Eva Dyck:** In his opening remarks, the honourable senator referred to this bill as a Liberal bill and indicated that the NDP played a minimal role in it. It is quite clear to everyone here that the NDP played a big role in this bill.

I am in the unusual position of being the only NDP senator. As we all know, the official platform in the federal NDP is that they do not believe in the Senate. We are working out a relationship.

**Hon. Senators:** Hear, hear!



**Senator Dyck:** However, I have not been privy to the inner workings of the NDP caucus. Nonetheless, I feel obliged to stand up and say that the NDP did play a big role in this budget bill, and they were responding to the needs of constituents. This bill contains items with which no one in this house would disagree. They are motherhood issues. The questions are with respect to the process and the plan.

In his opening remarks, did my honourable friend say that this was strictly a Liberal bill and that the NDP did not play a role in it?

**Senator Eggleton:** First, I agree wholeheartedly with the honourable senator's comments.

Second, I was not quantifying the NDP involvement. It was a big involvement, I agree. I was attempting to pre-empt some of our colleagues here who would want to call it an NDP bill. I wanted to point out that while there was a big involvement, still, the spending or the investments are based on Liberal programs and priorities in those areas.

**Hon. David Tkachuk:** Honourable senators, I am pleased to respond on behalf of the official opposition to Bill C-48. This being the July 1 weekend, there was quite a celebration in that hotel room — \$4.5 billion.

We live in a wonderful country, and this is a remarkable bill. It moves the authority of the House of Commons over the public purse to the cabinet. That is something we should all be concerned about as former parliamentarians in the other place and as parliamentarians in this place. It is as if the government asked for \$1 billion for defence but gave no details to the MPs as to what it was for. While most members might deem it positive to have extra money for defence, not knowing what it was for would make it very difficult to debate.

Former Prime Minister Pierre Trudeau said backbenchers were inconsequential. His exact words were, "When they get home, when they get out of Parliament, when they are 50 yards from Parliament Hill, they are no longer honourable members. They are just nobodies." This Prime Minister has saved them the walk. No longer do they have to travel 50 yards from the Hill. They are nobodies while they sit on his backbench. Judging by how this budget deal was hatched, they are nobodies even when they sit in his cabinet.

Through this bill, the government seeks authority to spend some \$4.5 billion, without a plan and without offering Parliament any information as to what the executive can be held accountable for — \$500 million for foreign aid; \$900 million for the environment, including an energy efficient retrofit program for low-income housing, whatever that is; \$1.5 billion for training and access to post-secondary education; and \$1.6 billion for affordable housing. That is all stated in a bill of this size, 380 words for \$4.6 billion. They are a generous lot, this government.

• (1510)

The events leading up to this bill are well known. The Minister of Finance tabled a budget on February 23, 2005, following months of consultation that included pre-budget hearings by the Finance Committee of the other place during November and December. The budget was approved in principle on March 9.

The Minister of Finance was adamant that no changes could be made to the budget. Indeed, on April 8, 2005, in *The Star Phoenix*, Mr. Goodale spoke of the possibility that the Conservatives might attempt to change the environment provisions of Bill C-43. He said:

You can't go on stripping away piece by piece by piece of the budget.

You can't, after the fact, begin to cherry pick: "We'll throw that out and we'll put that in, we'll stir this around and mix it all up again." That's not the way you maintain a coherent fiscal framework.

If you engage in that exercise, it is an absolute, sure formula for the creation of a deficit.

Meanwhile, the Prime Minister and his party were the subject of startling testimony from the Gomery inquiry, with stories of kickbacks and envelopes fat with cash being delivered to party faithful and to the Liberal Party itself.

The Prime Minister was a little desperate and Jack Layton saw an opening. On April 18, Mr. Layton said that he would be willing to prop up the government if the Prime Minister would be willing to withdraw the corporate tax cuts and make other changes to his budget. What he wanted precisely was unclear.

The Canadian Press on April 18 quoted him as wanting changes that would deal with Ontario's fiscal imbalance. That is good of him. *The Toronto Star* of April 19 had him calling for more money to be spent on education, child care, cities and the environment. There was not a word about the crisis in agriculture or the problems in the fishery.

A few days after the reports on the NDP wish list, the Prime Minister agreed to meet with Mr. Layton to hammer out a deal. The Minister of Finance was not amused. On April 26, *The Leader-Post* carried this report:

...Goodale said there were some disadvantages to the country if the Liberal government was to accept an NDP proposal — which would involve the government retracting \$4.6 billion in corporate tax cuts proposed in the budget in order to receive NDP support in Parliament.

The competition position of Canadian businesses compared to U.S. businesses could be damaged if these tax cuts are not provided.

The very day that the Minister of Finance criticized the terms of the proposed deal, the Prime Minister reached an agreement in principle with Jack Layton. That is curious: a budget agreement reached over the head of the man in cabinet responsible for preparing and tabling budgets, and that a budget deal could be reached in spite of the finance minister's stated objections to it, as I quoted. The finance minister not only criticized the deal the very day it was announced, he criticized the deal that he insists he had a say in.

Here is what he told me last week during a meeting of the Standing Senate Committee on National Finance, when I asked him if he negotiated the deal with the NDP on the budget. He replied that he was consulted throughout the entire process.

**Senator LeBreton:** The PMO got to him!

**Senator Tkachuk:** He said that the deal and all its details were discussed with him as it was evolving. Furthermore, he stated that he was in constant conversation with the Prime Minister and Mr. Tony Valeri over the four- or five-day period that the deal was being negotiated.

Let us get this straight: The Minister of Finance is critical of the budget deal that the Prime Minister negotiated, according to the Minister of Finance, in close consultation with the Minister of Finance.

All this adds up to one thing: The Minister of Finance lacks the confidence of the Prime Minister, who neither put him in charge of negotiating this deal nor listened to his advice when nailing it down, a deal that concerned the budget, which is — or at least it used to be — the Minister of Finance's primary area of responsibility. Instead, Minister Goodale was left on the fringes while the budget he worked painstakingly over and presented to the country with pride in February was cherry-picked against his best advice by his boss and the NDP in April. If he had any integrity at all, Mr. Goodale would have resigned that fateful evening in April. I hope the limo ride is comfortable.

Honourable senators, if the Minister of Finance was not involved in negotiating this bill, then we can assume that other cabinet ministers were left out as well — 50 yards from Parliament Hill, indeed.

I shall now turn to the terms of the deal. There is a legal framework for most of the spending promised in that deal, the exception being the fund to protect wages in the event of bankruptcy, which will come to us in a separate bill. At report stage of Bill C-43, the Budget Implementation Act, the government removed tax reductions for larger corporations from Bill C-43, promising to put them back through a different bill that we will consider in the fall. The business community is understandably upset about this manoeuvre.

The Council of Chief Executives, in a declaration released this week, noted that Canada is a nation adrift because in-depth, strategic policy-making has been sacrificed on Parliament Hill in a search for political advantage. The CEOs are worried about Canada's productivity. They see the removal of corporate tax cuts

in Bill C-48 as exactly the opposite of what needs to be done to promote productivity in this country. This squares nicely with the unanimous view of the Standing Senate Committee on Banking, Trade and Commerce of which, at one time, Senator Austin was a proud member.

Honourable senators, the agreement with Mr. Layton and this, the enabling legislation, give rise to four fundamental issues: First, the unravelling of the fiscal plan. What was irresponsible and unaffordable in February and March suddenly became affordable in April. Second, the budget of last February included the \$4 billion for this year and \$5 billion for next. As a result of this agreement, the NDP and other recent spending announcements, this is now down to \$2 billion in total prudence for this year and the same amount for next. The sum of the government's revenue and its expenditures is a total cash flow of some \$400 billion per year, \$2 billion divided by \$400 billion is 0.005. For prudence, the government now has a margin of error of one half of 1 per cent. It cannot respond to pressing new priorities without endangering the spending proposed in this bill and breaking the deal with Jack Layton.

An example of events that often demand government response is the flood that we witnessed in Alberta and that we are now witnessing in Manitoba. Government survival, on the other hand, can hardly be called an emergency.

I will now turn to the subject of process. This is really important. Spending decisions in a civilized democracy like ours are usually prioritized. For each decision, for each initiative, there is debate internally, within departments, cabinet and committees on consultation. At the Treasury Board, in the months before the budget, the spending estimates were being pulled together. Governments cannot do everything they want, so competing demands on the public purse must be resolved. They are normally resolved before the budget is presented in the House of Commons, and the decisions taken by this government may differ from the decisions we would take, but up to now those decisions at least followed the process where priorities were set.

In short, the fiscal plan was not written on the back of an envelope or dictated to the Minister of Finance. What is the point of the entire budgetary process and the pre-budget hearings of the finance committee of the other place if it can all be undone by a handshake in a hotel room?

Are we moving to the American system where the executive announces the budget and then the horse trading begins, where individual members of the House of Representatives and the Senate lobby for funding for their pet project? If this is a new process, then perhaps we all should be told and not just Mr. Layton.

Perhaps the government has lost its way in its mania for clinging to power. Perhaps they need a refresher course on how budgets are supposed to be made. With your indulgence, honourable senators, allow me to provide them with one. Let me begin with some work done by the Parliamentary Centre in Ottawa, an organization renowned not only for the work that it has done for our Parliament, but also for work it does in the furtherance of democracy around the world.

• (1520)

They have developed indicators of parliamentary performance in the budget process. Is there parliamentary input at all stages? Are exchanges between MPs and ministers regarding the budget open and public? Do parliamentarians participate openly and independently in the priority-setting stage of the budget process? Does Parliament ensure public input and participation during the budget process? These are just a handful of indicators.

Of course, the government knows all this, or, at least, it used to know all this. In fact, it was the Chrétien Liberals that introduced in 1993 the Expenditure Management System to guide budget-making and deficit reduction. This EMS system had three major components. The first was dominance in the process by three government bodies: the Privy Council, the Ministry of Finance and the Treasury Board, none of whose representatives were in the hotel room, as far as I know.

The next component was a secondary role for cabinet and individual government departments. The third component was consultation with Parliament and the general public. There is more to this system than I am able to describe here. I have taken the documentation from the Parliamentary Centre and from the Maple Leaf Web, which describes the process of the federal Liberal government. I would like to table it here to remind the government how a budget should be made.

There are countries that face some of the same issues that we are experiencing. I wonder what other democracies around the world do. I wonder how they do their budget. I went to Pakistan, for example. There, the politicians decried the lack of parliamentary input into the budget-making process. They feared that Parliament played only the role of a rubber stamp in the budget process. Here is what is written in a report of a conference on that issue, a conference that included representatives of major political parties in Pakistan:

With no involvement of Parliamentary committees into the budget process, neither at the time of recommending an allocation for a department or a division, nor at the time of evaluation of the budget when it is laid in the Parliament, the passing of a budget merely becomes a ritual in which MPs from the government resort to saying yes and those from the opposition saying no at the time of the passing of the budget.

They might have been talking about Canada. Even in Pakistan, they are trying to do better.

Let us move on. What about Africa? We often decry their inability to participate in democratic processes. Indeed, a conference in Cameroon last year of the Commonwealth Parliamentary Association looked at Parliament and the budget process. They concluded that annual budgets are best formulated by governments following broad consultation with parliamentarians and members of civil society, including representatives of interest groups from all regions of the country.

They also concluded that to contribute fully to the budget process, Parliaments must have adequate time to debate

government spending plans in the chamber and in committee. They must be able to change government spending and priorities, and they must have full access to ministers and their civil servants, who are required to provide detailed explanations. This is in Cameroon.

I am sure those African politicians would be disappointed to find that in this great bastion of democracy called Canada there are no detailed future spending plans attached to Bill C-48. I am equally sure they would be disappointed in the depth of the answers we will get as to the details of Bill C-48 when it goes to committee.

After Pakistan and Africa, I thought about Kazakhstan. That country has been looking into parliamentary oversight of the state budget. At a Soros Foundation-funded seminar in that country, it was noted that in Kazakhstan it is important to provide public oversight of state revenues. It is also noted, however, that to date Parliament does not have full authority over the state revenues. Does that ever sound familiar!

At the same conference, they talked about transparency of the political systems, the powers of amendment and the role of committees in the budget process. You will hardly be surprised that Germany was cited at that conference as the best example of parliamentary oversight. Canada was not even mentioned.

In Japan, the budget cycle requires three years, and it is the finance minister who has primary responsibility for formulating the budget, not the House leader in negotiations with the leader of another party. The ministry sets forth the basic principles that are then used by the various ministries and agencies to estimate roughly their budgets.

These are just some examples of how budget processes should work. The question is: What will Mr. Layton demand after Bill C-48 is passed? If we adopt the American way of writing our budgets, why is it that only members of the New Democratic Party and the independent members get to snort around in the taxpayer-funded trough? Obviously, after the agreement with the Bloc Québécois last week, they too are going to snort around. We can only hope to hear soon what particular delicacies were used to entice them to the trough. Maybe there is something for us in there. In fact, why do we not just put the trough in the middle of the chamber and let us all have a go at it, and the taxpayer be damned?

I mentioned earlier there are four issues we should be concerned with, which include enhanced productivity, providing tax relief, and paying down the debt. The other issue is the manner in which the NDP budget proposes significant new spending in areas of provincial jurisdiction.

Housing and education are areas of spending best carried out by or in cooperation with provincial government, yet there is no requirement for such cooperation in this bill.

They say they will reduce tuition fees. They cannot control whether the provinces will reduce tuition fees. I am sure that Premier Charest would be very interested in that particular statement by the government.

The fourth issue is that of accountability to Parliament. Lost in all the allegations of vote-buying, lost in all the hype about what Mr. Layton may or may not have accomplished and at what cost to the treasury is the fine print of this bill. It does an end-run around the checks and balances, and it gives ministers the power to spend with no more than an extremely broad outline. It is an affront to Parliament. It is a \$4.6 billion invitation to the kind of abuse and misuse of funds that is now being looked at by Justice John Gomery. That is exactly the same way they allocated. They put out all the money, and then everybody went to the trough and picked it out. They did the same thing in Human Resources Development Canada, HRDC. Now they are doing it with the budget of Canada. It is not just a bill, it is the budget, \$4.6 billion, in a pot for the cabinet to pick through.

**Senator Munson:** It is a people's budget.

**Senator Tkachuk:** That it is.

**Senator Comeau:** Certain people.

**Senator Tkachuk:** As former finance official and now Chief Economist at the TD Bank, Don Drummond noted in the May 7, 2004 *National Post*:

For years the government has wanted an instrument that would allow it to allocate spending without having to say what it's for. This act will do it.

Perhaps the National Finance Committee could call Mr. Drummond to elaborate on this.

Columnist Greg Weston wrote in the *Ottawa Sun*, June 11:

We called the five ministries most likely to be on the receiving end of the \$4.5 billion, and no one seemed to have the faintest idea how all that loot is going to be spent.

Through the Main Estimates document in February and the Reports on Plans and Priorities for each department in March, we are provided with a full and detailed account of each department's spending. In Bill C-48 we are asked to vote half a billion dollars for foreign aid, with no information as to how it is to be delivered, to whom it is to be delivered and what department will manage the funds.

I want to spend a minute on foreign aid because the Prime Minister made a comment about it that was reported in the paper today; they used the term "foreign aid." In this bill, \$500 million for foreign aid is the only information we have. If we were to ask the Prime Minister where he got that number, the answer would be probably, "from Mr. Layton in a hotel room." We all know that people have been arrested for exchanging cash for favours in hotel rooms. There were none in this case, although without question Paul should have been called John and Jack, Jackie; then again, in today's climate, perhaps Jack is quite appropriate.

[ Senator Tkachuk ]

Unlike the estimates, there is no formal document before Parliament outlining exactly how the government expects this to roll out. There is no information before Parliament addressing how much there will be for grants or how much there will be for administration because the government either does not know or does not wish to tell us.

• (1530)

Parliament has not been formally told whether the money will take the form of long-term projects in each case or whether funds will be handed over to various Third World governments as a cheque with no strings attached, again, because there is no plan.

Even the term "foreign aid" may not be correct. Do official publications not refer to this as "official development assistance?" Foreign aid simply boils down to assistance provided from one nation to another. Most of what we think of as foreign aid would be more correctly called official development assistance, money to alleviate poverty and hardship in the Third World, ensure clean water, and develop self-sufficiency and viable economies. However, foreign aid can also include military aid, and indeed military aid represents a fair chunk of the foreign aid budget of our neighbours to the south.

The New Democrats asked for more foreign aid to accelerate, in the words of the deal, "Progress towards the international targets of 0.7 per cent of the gross national income being invested in overseas development assistance." Was the Minister of Foreign Affairs consulted before this bill was drafted? Was there no wording that his officials would have suggested to provide some direction as to how this money would be spent?

This will come as a shock to those New Democrats who cut their teeth chanting slogans and carrying signs of anti-war protest, but their budget bill, the NDP budget bill, is so poorly drafted that if the government wanted to, it has the necessary spending authority to send military aid to any right-wing Third World dictator.

If you do not believe me, perhaps you should read the article by Anne Dawson in today's *Ottawa Citizen*. She noted in that piece that Prime Minister Paul Martin wanted a string of items included in discussions among the G8 that affect how much a country is credited with contributing to foreign aid. Furthermore, he indicated that Canada's contribution to security around the world should be among those items.

In his testimony before the Finance Committee of the other place, William Robson called this bill, "The poster child for dysfunctional fiscal policy." He noted that it is:

An astonishing piece of legislation. In 400 words, it authorizes the minister to spend \$4.5 billion, subject to some limits that are not knowable in advance, on just about anything, and by just about any means.

He went on to say:

The focus of the expenditure, inasmuch as the specifics allow us to tell, is in areas where the federal government is either less competent than provincial and municipal governments, where it has shown no great skill in the past of solving problems, and where the mechanics that are supposed to achieve the result — and the post-secondary education is a particularly good example of this — appear not to have been thought through.

Democracy can be lost by jackboots and by bombs, but it can also be lost by chipping away at its very foundations by disregarding its institutions; by revelling in immediate victory but causing long-term institutional harm; by ignoring, and in so doing, dishonouring where this money came from: from the sweat and tears of millions of Canadian workers and entrepreneurs.

The other day we celebrated a bill that forbade usurious conduct. That was Senator Plamondon's bill. We celebrated the protection of those who may be taken advantage of by unscrupulous people or businesses. Yet while we slept and worked, two people sat in a hotel room and usurped \$4.5 billion from the pockets of Canadians.

We on this side are asking the Senate to defeat this bill because those charged with the proper conduct regarding the people's money have long ago lost that right.

**Some Hon. Senators:** Hear, hear!

**The Hon. the Speaker *pro tempore*:** Senator Tkachuk, you stated in your debate that you had a document you wished to table. In order to do so, you need leave.

**Senator Tkachuk:** I am asking for leave.

**The Hon. the Speaker *pro tempore*:** Does he have leave, honourable senators?

**Hon. Senators:** Agreed.

**Senator Comeau:** Has the honourable senator found out whether the fact that the Minister of Finance refuses to appear before the Finance Committee is caused by embarrassment that he was left out of this process, or is it just the disdain with which another minister is now treating parliamentarians, as mentioned in the 50-yard question?

**Senator Robichaud:** That is a very partisan question.

**Senator Tkachuk:** He will get a non-partisan answer.

I do not know whether the Minister of Finance will attend. I assume that he has been invited, and he has now said that he will not be attending.

My view is that if you do not have a minister, and this is the view of the Chair and the Deputy Chairman of the Standing Senate Committee on Transport and Communications, Senator Fraser and I, and we have an agreement: No minister equals no bill.

**Hon. Grant Mitchell:** Honourable senators, early on after the announcement of my appointment to the Senate, I spoke to a variety of senators and people who know about the Senate, and they repeatedly made the point that the Senate was far less partisan and far more collegial than any other elected house, the other place, or the elected house from which I came.

Coming from a fiercely partisan environment as a partisan opposition leader to Conservative Ralph Klein's government, I was of course very interested that this place might be non-partisan and more collegial. I was interested in finding out what that would look like.

I then sat in the Senate my first full day, and I was here not longer than 15 minutes before honourable senators on that side of the house accused me and all of my colleagues of being corrupt. I said to myself, "I have only been here for 15 minutes; if this is non-partisan and collegial, then Ralph Klein and I are best friends."

I observe that to some extent in jest. I must say, however, a theme is developing. Today's debate is extremely partisan. I would argue that the opposition has been aggressive. Perhaps it is because of my relative youth in this place, but I find that I have to rise to the bait. There are some things I have to get off my chest, but in doing so, it is in the interest of spirited debate and with the utmost respect for the honourable senators on the other side.

When you scrape away the arguments that the opposition makes about this budget bill and Bill C-43, what you come down to is an argument that has two brief points. First, somehow the Liberal agreement with the New Democrats is unsavoury. Second, it represents unfettered expenditure. I would like to respond to both of those arguments.

I will begin by saying that I am surprised, as was Senator Eggleton and others, that this criticism, the idea that there would be an agreement with the Liberals and the New Democrats, would even arise. Clearly, if the Conservatives had not decided to oppose the budget they originally supported and then decided to oppose again, we would never have had that agreement.

Where I come from, if A equals B and B equals C, A equals C. If you apply that formula to this circumstance, what you are driven to conclude is that if the Conservatives had not actually dithered about this budget, they would not have anything left to criticize.

**Senator Comeau:** Dithered!

• (1540)

**Senator Mitchell:** We are talking about a minority government. I campaigned for years, federally and provincially, and I cannot count the number of times I heard people say that what we need in this country and this province is a minority government. Now that we have one, people seem to have become rather squeamish about it. I think they are squeamish because they forget what the essential quality of a minority government has to be; by definition, minority governments have to make deals and they have to compromise.

Honourable senators, this is a democracy. The people of Canada gave this Parliament very clear direction. Their direction was that they wanted this Parliament to have a minority government. They made that direction with the single most powerful statement that the electorate has with which to communicate in a democracy — their vote. It is inherently arrogant that after eight, nine or 10 months, the Parliament of Canada would actually begin to tell Canadians that they were wrong.

Speaking of deals, honourable senators, not all deals are appropriate, even in a minority government. The fact of the matter is that a deal was made on the other side in the other place that raised, among other things, the issue of national unity. That deal was the collaboration between the Conservatives and the Bloc.

Let us remember there is very little the Bloc can do in Parliament to further their cause. The one thing they can do is to try to demonstrate that Canada does not work. If they can send that message to Quebec, it may be that Quebecers will feel less inclined to stay in this country.

Honourable senators, that means this is not just a debate about a budget or about the ensuing issues. This is a debate based on a collaboration to send a message by trying to bring the government down prematurely and, when that failed, by trying to stymie and stall the government's work. That amounts to collaboration with the Bloc to do the one thing they want to do, and that is send a message to Quebec that Canada does not work.

This, of course, honourable senators, was not done in a vacuum. It was done in a very troubling context. It was done in the context of increasing separatist sentiment in Quebec, and it was done amidst reports and speculation — probably, unfortunately, relatively strong — that the next government of Quebec might be a separatist government.

Honourable senators, I am not saying that the predisposition to undertake a deal like this with the Bloc in and of itself defines a certain vision of Canada. What I am saying is that the predisposition to do this is at least consistent with a vision of Canada that I simply cannot comprehend.

**Senator LeBreton:** We cannot comprehend you.

**Senator Mitchell:** I am not certain what the subscribers to this vision actually like about Canada, but I am clear about what they do not like about Canada. They do not like bilingualism; they do not like multiculturalism; they do not particularly like social programs; they do not like public health. They are not fussy about how we relate to the United States. They are not all that happy about how we divide powers in this country; and on a good day, or on many days, they are at least ambivalent about where Quebec's place is in this country.

Honourable senators, where I come from, this equates to a position called Western alienation. I want to ask the people who feel alienated from Canada to name just one country that they would not want to be alienated from. Canada is a remarkable place and I believe that Canada deserves much better than this.

[ Senator Mitchell ]

There is another vision of this country, and it is captured by people who believe something quite different. They believe that Quebec has a special place in this country — that Quebec makes us special. It makes us different from the United States; it makes us multicultural; it makes us cultural. They believe that social programs and public health care reflect the profound generosity of Canadians. They believe that the institutions of democracy in this country — our parliamentary system and our justice system — are the foundations of our rights and our freedoms; and they believe that Quebec and Alberta make Canada better, but that Canada makes Quebec and Alberta and all those other provinces better as well. Somehow this message seems to be lost amongst all of this debate here, and I think we must pay attention to that message.

When I was in the midst of the debate in Alberta on Meech Lake and the Charlottetown accord, I used to step back and use this analogy to illustrate what I was talking about: If Quebec were to leave, then we would probably remember how unhappy we were with Ontario. We would have to separate from Ontario; and then we would look at Manitoba and Saskatchewan and say, "Well, do they really contribute to our economy," and maybe we would have to separate from them. We would look at B.C. and say, "Well, they are hard to relate to so maybe we will have to separate from them." We have a real rivalry in Edmonton with Calgary, so maybe we would have to separate from them. One day, we would be taking northern Edmonton from southern Edmonton. If I were still the MLA for Edmonton—McClung, I would be thinking I could be the president of Edmonton—McClung.

We have to understand that this country works far better together. We need to work together and not take risks by threatening in the way that the deal across the way did. The reality is that Canada works extremely well.

We are, as the honourable senator said, the only member of the industrial G8 nations that actually has balanced budgets and, in fact, a surplus budget. We have unprecedented employment levels. We have the lowest GDP per debt ratio of the G8 nations, and we are paying down debt at a remarkable rate.

Honourable senators, we have a government that has accomplished a great deal in a very short period of time. This government has undertaken its eighth consecutive balanced budget — many of those have been surpluses. This Liberal government has brought in a health care deal that actually focused on one of the most important issues in health care — setting objectives and developing accountability. We have the deal with Newfoundland and Nova Scotia. We have announced a green plan to fulfill our Kyoto commitments.

The Prime Minister has gone around the world to re-establish Canada's presence. He has made some well-accepted recommendations for improvements to the United Nations. He has hosted the President of the United States and has convinced the United States that we should reopen the border to beef — we

simply have one judge in Montana to finally convince. Parenthetically, if we ever think that we should have elected judges, just look at that example.

The Prime Minister has announced a new foreign policy that focuses our aid in a productive way which will put more boots on the ground. He has announced a groundbreaking funding agreement with the municipalities so they can build and strengthen this country. He has done much more, including this budget bill and the main budget, Bill C-43.

The fact of the matter is that the Prime Minister has done all of this within the context of a minority government, not just any minority government, but a minority government in a very hostile Parliament.

When this budget bill passes, this government and the Prime Minister will have accomplished even that much more. It is not fair to say that Bill C-48 will result in unfettered spending. It has been pointed out very eloquently by the Honourable Senator Eggleton that the bill provides for limited spending — \$9 billion over five years; that these funds can only be spent if we have a balanced budget; and that it is basically spending that was already committed to and budgeted for. This government has had among the lowest rates of expenditure versus GDP in the last 30 years — certainly lower than that of the Conservative government.

• (1550)

It is unfair to criticize this government on the basis of its agreement with the New Democrats, saying that it is somehow unfettered expenditure. Canada is not broken. Fiscally, culturally and economically it is extremely strong and working very well.

In the course of debate such as this we must be very careful about the criticisms we levy against the government and the risks that we take. I believe that senators and members of the other place should respect and honour this country, as do people throughout the world.

**Some Hon. Senators:** Hear, hear!

**The Hon. the Speaker:** Honourable senators, I must advise that the time of Senator Mitchell has expired.

**Senator Comeau:** I request leave to ask just one question.

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I think there would be agreement to extend the time by five minutes.

**The Hon. the Speaker:** Is that agreed, honourable senators?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** Senator Mitchell, will you take a question?

**Senator Mitchell:** Yes, I will.

[*Translation*]

**Senator Comeau:** Honourable senators, the senator mentioned that we owe one another respect in this place and in the other place. In his speech, he referred to “bigots” and people “who do not like bilingualism.” Would he care to name these bigots and people opposed to bilingualism?

[*English*]

**Senator Mitchell:** Honourable senators, the Honourable Senator Comeau is putting words into my mouth. I did not call anyone a bigot. I spoke of a philosophy that I think is an accumulation of many of the positions taken by the other side in the other place and, to some extent, in this house, on issues like bilingualism, the status of Quebec, social programs and public health care. It seems to me that they are not as committed to them in some parts of the country as am I. I believe that is a fair comment and I believe that is easily seen in certain areas of this country.

[*Translation*]

**Senator Comeau:** Senator Mitchell speaks of divisions in the country; Senator Mercer is accusing Mr. Harper, and the honourable senator is accusing persons in the other place without identifying them. He has also accused persons in this chamber, without naming them. Honourable senators, I request that no accusations be made unless they are specific.

Senator Mercer has made very specific accusations against Mr. Harper. Someone else told us tales of Alberta, tales of anti-bilingualism sentiment. Be careful when you make comments that might create divisions in this country.

Were the Conservative Party a party of bigots and people opposed to bilingualism, it would certainly not be the party of the official opposition. One senator says he lives in Nova Scotia, says he is a resident of Nova Scotia. He is trying to tell us tales of Nova Scotia.

My question is the following: Name them, if you will.

[*English*]

**Senator Mitchell:** Honourable senators, I appreciate the comments of the Honourable Senator Comeau, but I am surprised at his indignation. He is extremely partisan and has been aggressively so. I am saying that there is a philosophy in parts of this country that does not agree with some of the fundamental tenets that I hold. My vision of the country supports powerful social programs and powerful public health care, because that reflects the generosity of Canadians. My vision of the country supports our justice system, which is respected around the world as a fair system. My vision of the country supports the parliamentary system, because it is the best system on the face of the Earth and in the history of the world. It has existed for 600 years. My vision of the country supports our relationship with the United States because we are not afraid to be

independent of the United States. My vision supports the way we structure powers in this country, because we need a strong central government in order to be strong in the world. My vision supports the way we have structured our foreign policy relationships, et cetera.

**Hon. Marcel Prud'homme:** I am proud to be a friend of the province of Alberta, but the speech of Senator Mitchell did not make me proud.

It is acceptable to Senator Mitchell when the Liberal Party in the other chamber receives the support of what he calls the separatists or the bloquistes. However, when the separatists or bloquistes vote with the Conservatives — which I am sick of seeing — the Conservatives become unacceptable. The honourable senator must make up his mind about that. Why is it all right in one case but not in the other?

**Senator Mitchell:** Honourable senators, I would say that the reverse is true. The collaboration between the Bloc and the Conservatives, although perhaps not in its conscious design but in its effect, created a situation whereby a message was sent that Canada was not working very well. The agreement last week between the Liberals and the Bloc, of which Senator Prud'homme is speaking, was a collaboration —

**The Hon. the Speaker:** I regret to interrupt the Honourable Senator Mitchell, but his time has expired.

**Senator Rompkey:** I move the adjournment of the debate.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Although we have had an agreement in this chamber on a limit of the five minutes to the extension of time, we also agreed that if the discussion became engaged, as it is now, the allotted time could be further extended.

On motion of Senator Rompkey, debate adjourned.

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

### FIFTH REPORT OF COMMITTEE ADOPTED— NUMBERING OF SENATE BILLS

The Senate proceeded to consideration of the fifth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (numbering of Senate bills), presented in the Senate on June 29, 2005.

**Hon. Joan Fraser,** for Senator Smith, moved the adoption of the report.

Motion agreed to and report adopted.

• (1600)

## PERSONAL WATERCRAFT BILL

### THIRD READING—DEBATE ADJOURNED

**Hon. Ethel Cochrane** moved third reading of Bill S-12, concerning personal watercraft in navigable waters.—  
(Honourable Senator Cochrane)

[ Senator Mitchell ]

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, Senator Lavigne has indicated to me that he would like to speak to this bill. He is unavoidably absent today but intends to speak next week. If there is agreement, I would like to adjourn debate in the name of Senator Lavigne.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Out of deference to Senator Lavigne, although this item does stand in Senator Cochrane's name, I would expect that he would speak next week and then we would move to a vote.

**Senator Rompkey:** That is right.

**The Hon. the Speaker:** I take that as an exchange on house business.

**Senator Stratton:** Yes.

On motion of Senator Rompkey, for Senator Lavigne, debate adjourned.

[Translation]

## PROGRESS REPORT ON QUALITY END-OF-LIFE CARE

### INQUIRY—ORDER STANDS

On the Order:

Resuming debate on the inquiry of the Honourable Senator Carstairs, P.C., calling the attention of the Senate to *Still Not There. Quality End-of-Life Care: A Progress Report.*—(Honourable Senator Corbin)

**Hon. Eymard G. Corbin:** Honourable senators, I will not be speaking to this matter, but Senator Oliver indicated to me just now that he would like to speak to it, probably next week. Could the inquiry be adjourned in his name?

**The Hon. the Speaker:** Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

Order stands.

[English]

## INTERNATIONAL DEVELOPMENT ASSISTANCE

### MOTION URGING GOVERNMENT TO MEET COMMITMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Andreychuk, seconded by the Honourable Senator Johnson:

That the Senate of Canada calls upon the Government of Canada to establish a specific timetable that will enable Canada to meet its longstanding commitment to provide 0.7 per cent of its Gross National Income as official international development assistance; and



That the Senate of Canada calls upon the Government of Canada to provide funds, within the budgetary process, to achieve this objective at latest by the year 2015, beginning, with an immediate one hundred percent increase in official development assistance in the next fiscal year.—(*Honourable Senator Dallaire*)

**Hon. Roméo Antonius Dallaire:** Honourable senators, I am standing to speak to the motion that was raised by Senator Andreychuk, regarding the government's commitment to provide 0.7 per cent of gross national income for international development assistance by the year 2015.

I said in this chamber on June 16 that 80 per cent of humanity lives in inhuman conditions, in blood and mud and suffering, below any conceivable level of human respect and dignity. I consider what we have seen over the last years, particularly since 9/11, the expression of rage by that 80 per cent of humanity through terrorism. The rage will continue and accentuate as that part of humanity continues to be treated in an inhuman fashion, and international development, which is a primary instrument of easing and abetting that suffering and attempting to move that part of humanity to a level of human respect, is now moving into the realm of our national security.

As such, international development is no longer isolated to simply a long-term process in which nations hope to advance into a new era, but is very much part of how our nation can continue to advance in serenity and peace and, through that, ultimately return the favour of continuing to help countries improve their levels of dignity and national capabilities.

In the year 2000, the world's heads of state committed themselves to achieving the millennium development goals, which include eight objectives to be met by the year 2015. They are: eradicating poverty and hunger; ensuring universal primary education; promoting gender equality and the empowerment of women; reducing child mortality; improving maternal health; fighting HIV/AIDS and other infectious diseases; ensuring environmental sustainability; and, finally, ensuring the development of a global partnership for development. These are extraordinary goals reflecting the new era in which we find ourselves — we the countries of the North, we the "have" countries — as we look at those countries of the South who need the support of the developed world in order to achieve those levels of respect and humanity and the hope of seeing better days.

In 2001, 18 targets and 48 indicators to measure progress toward the millennium development goals were approved. To meet the very demanding millennium development goals by the year 2015, we require significant changes in the national policies of developing and developed countries, including the international trade system. We must shift how we look at the whole of humanity, as those who would be on the receiving end must shift in how they can use those assets to advance their nations.

Of note, according to the World Bank, this would mean a doubling of official development assistance that flows already toward those have-not nations. That is a lowball estimate, for it

would require our country to triple the amount of money that is moved into international development or development assistance, meaning a figure, by the year 2015, if that goal is achieved, of about \$8 billion annually.

In March 2002, at the UN Conference on Financing for Development in Monterrey, Mexico, rich countries again agreed to make concrete efforts toward achieving the target of 0.7 per cent GDP. This issue is not new and I do not want to necessarily repeat its history. However, as we know, former Prime Minister Pearson led a commission on development assistance which advocated that developed nations reach a level of 0.7 GDP by not stating a time frame but rather stating that it was a future objective. That was 35 years ago. In 1992, at the Earth Summit in Rio de Janeiro, Canada recommitted to the goal of 0.7 per cent of GDP. A report card of the official development assistance spending increases by the vast majority of donor countries still remains far below the commitment made at Monterrey.

The only two times that Canada has come close to meeting the international development goal was in 1975-76, with a commitment of 0.53 per cent of GDP, and in 1986-87, with a commitment 0.5 per cent of GDP. In the beginning of the 1990s, aid programs absorbed large, successive cuts due to the economic and fiscal situation at the time. Those are exactly some of the permutations that can happen over time, even to a nation that is fiscally responsible. We cannot predict the future. We can try to mould it and adapt to it, but we must also remain responsible as we move our nation into that future.

Among the 22 OECD countries, in 1995 Canada ranked sixth; in the year 2000 Canada ranked seventeenth; and in the year 2004, with increases in the federal budget, Canada ranked ninth in volume terms in regard to international development assistance. Is that enough? No, it is not. Can Canada do better? More importantly, should Canada do more and do better in this regard?

• (1610)

In the current fiscal year of 2005-06, \$3.6 billion will be directly involved with international assistance, which represents a net increase of \$400 million over the year 2004-05 — not insignificant numbers.

As an added note, the work that I am currently involved in with the Sudan crisis in Darfur, as well as our involvement in the Afghanistan crisis, will receive this year, on top of that original figure, another \$500 million that is not necessarily Official Development Assistance, ODA. That, of course, is also above the funding that was established in 2003 for the Africa Fund, which in itself is pouring billions of dollars this year into the program.

Honourable senators, we have read in the newspapers and possibly a number of you have heard our Prime Minister, the Right Honourable Paul Martin, when he declared, on the subject of international development:

Until I'm in a position to tell Canadians unequivocally how and when, I don't believe in making commitments in the air.

As well, the Minister of Finance, the Honourable Ralph Goodale, stated:

We want to meet the objective but we also want to make sure our word is good in the world, and when we make a promise, we are confident we can keep that promise.

Honourable senators, these statements are both consistent with the new international policy that we have established that married the three Ds: development, defence and diplomacy. As such, it commits us to further increase the official development assistance but promises, in so doing, to maintain these increases beyond 2010 and accelerate the projected rate of growth of Canada's international assistance as our fiscal position gets better.

[*Translation*]

Honourable senators, that response indicates solid commitment and demands courage, especially now, in an era when political careers do not last forever. A government that decides to invest significantly and without compromise, despite the uncertainty of future costs and other unpredictable factors, deserves our consideration.

[*English*]

But is that good enough? This is the position that, in fact, I wish to respond to today in speaking to this motion.

Honourable senators, we cannot look at the developing world in purely the figures that the developed nations of the north attempt to project. We must look first at the strategic backdrop upon which we want to look at the rest of humanity — at that 80 per cent who are living in inhumane conditions. We cannot, I believe, continue to treat international development assistance as a residual in regards to our fiscal responsibilities to our nation and to our responsibilities internationally.

I argue that international development must become a mainstream responsibility of the northern developed world towards the rest of humanity, that is, the have-nots. We should be moving towards creating an atmosphere in which we focus on the whole of humanity, not concentrating on the 20 per cent of humanity and seeing what is left over for assistance to those who are not competitive, who do not respect the rule of law and who have no chance of moving out of the state in which they find themselves.

International development is not a case of throwing cash at dictators and malfasants who rip off their people and act in the most irresponsible fashion. It is not just throwing dollars at a problem, as some have articulated in the past. It is providing resources in a multitude of fashions in order to permit nations to reconstitute themselves. In certain cases, they are still moving away from the impact of the colonial era or the impact of the economic woes that we imposed by some of the international trade systems. It is a means of assisting them to move into a new era. As such, it is not a case of how much money, but rather a philosophy or strategy behind moving monies as an extreme element of resources to those who have nothing, yet deserve to live as human beings, permitting the moderates of those nations to move their nations to liberal democracies and countries that respect the rule of law, respect human rights and in fact permit people to live in serenity.

[ Senator Dallaire ]

The era of Black Africans waiting for rich White man's hand-outs is over, and we pretentiously move money into international development in such a way that we insult them. Honourable senators, we do not have to humiliate them more. They find themselves dependent on the developing world, and often that dependency is created by that same developed world. The aim is not to provide aid. The aim is to move away from that pejorative term and to provide assistance and support, to move these countries into the realm in which human rights and the serenity of being able to move within a country that respects human rights is available to them.

This country of ours is once again in the watershed of a new era, the post-modern era, and as such it is seeking vision and orientation. Canadian youth over the last four years have continually spoken to me about wanting to keep this great country advancing, about keeping the system going, about responding and respecting our work ethic, about meeting the goals of our human rights and our liberal democracy and about continuing to advance technology and master it. They feel there is something else that Canada has acquired over the last while, and they feel that Canada has moved into a higher and more mature level. It is no more the young kid on the block when it looks at the older nations. It is a responsible, energetic and capable young nation, a nation that is in its young maturity and, as such, it is ready to take risks. It can put resources in areas that perhaps will not produce an overt statement of responsible investment but will assist those to move on that realm. The aim is to move this nation as we move a philosophy, atmosphere or a way of thinking, and the way of thinking of a great nation like ours is to now take on our responsibility to humanity, not only to ourselves. We should move into the realm where assistance and support to the developing world is a mainstream effort and not a numbers exercise from which some people attempt to make near-term political gain.

**Hon. Wilbert J. Keon:** Would the honourable senator accept a question?

**Senator Dallaire:** Yes.

**Senator Keon:** Let me congratulate the honourable senator for a very inspiring speech on such a tremendously important subject. I have been following the developments as best I can in the field of health and in sub-Saharan Africa in the under-developed world. Trying to deal with these subjects is an enormously complex undertaking. The World Health Organization is doing the best it can, and I believe it deserves our support.

It seems that the mistake that we have been making, which you pointed out, is trying to throw money at the problem without the human resources to make the system work. I wonder if this is also necessary in the broader context of agriculture and other developments. The philosophy now in health is that it will not be enough to develop the vaccines, the antibiotics, the anti-malarial treatment and so forth, because they just do not get delivered. We must find a way of delivering, as well as providing the medicine.

• (1620)

I would like to hear your comment on the broader context as it relates to agriculture and food.

**Senator Dallaire:** I believe the essence of the future is self-reliance. Self-reliance is not accomplished by these nations by being provided isolated capabilities in which to grow or attempt to grow their capabilities, but by bringing those nations into the pace of globalism in which they can be competitive, effective and advance their own nation's capabilities. We must assist them in building capabilities that go beyond their borders and meet their requirements.

To do that means an abdication on the part of the developed world. That is to say, as an example, you cannot go to a nation and convince the people to move into a certain agricultural realm, be it fruit or something of that nature. You cannot educate a large portion of the population to invest large amounts of the country's resources to move in such a realm, to create dependency in the country on these products, only to find that even though their prices are exceptionally competitive, we close down the market because we in the north want to protect, as an example, our rural way of life. Europe is doing this with a whole set of ineffective small farms. As such, developing countries cannot sell their products. You cannot do that too often with people before they start to lose confidence and attempt to look for an easier way.

It is my belief that we must encourage the empowerment of women and the empowerment and education of children as they, through children's rights, advance. As well, we must assist nations in gaining capabilities in a variety of realms. That is the essence of the future. You do not build the dams; you do not throw cash at them. You provide the assistance to them with resources to build that dam if it is required, and let them evolve.

It is my opinion that one day we will not need this because one day the frictions of conflict will not see the enormous wastage of resources in weapons and systems that are so negative and pejorative in so many cases.

Some day, through human rights, we will not have conflict and we will respect one another and be able to advance. It may only take a couple of centuries, and it may take billions more dollars and millions more may die, but one day that will stop. One day human rights and respect for law will move the world to where we can say that all of humanity is treated as human, and not only those who have the resources.

**The Hon. the Speaker *pro tempore*:** I regret to advise the honourable senator that his time has expired.

**Hon. Noël A. Kinsella (Leader of the Opposition):** If the honourable senator would ask for leave for one more question, I am sure my colleagues would agree to another five minutes.

**Senator Rompkey:** I believe there would be agreement to extend the period for five minutes.

**Senator Kinsella:** Honourable senators, my question to Senator Dallaire is that the House of Commons voted unanimously, with all members of the Liberal Party, including the minister, in support of the same proposition. Is the honourable senator in support of that proposition or not?

**Senator Dallaire:** I support the position taken by the government in regard to responsibility and whether the figures project now that we can achieve that 0.7 per cent GDP by the year 2015. I do that only because I consider that to be a leadership position that recognizes that the factors of the future are not permanent and flexible. International development and assistance can have very negative consequences when we say to the international community that we are going down that route and then one day we say we cannot do it any more and leave them hanging.

However, in that statement, I return to my fundamental belief that we need to review the whole concept of international development and assistance, as a mainstream effort by a nation like ours, just as health, defence and transport are mainstream efforts. In so doing, assistance is not held to a current figure. On the contrary, it is held to a higher plain of looking at how the international community should treat all of humanity.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I move the adjournment of the debate.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** We would like to call the question today. If you are not willing to call the question today, because you want to speak for the record, as with the watercraft bill, which has been on the Order Paper for quite some time and adjourned in Senator Cochrane's name in favour of Senator Lavigne. Senator Andreychuk gave notice last week, a fair amount of time, that she would like the question put on this issue. She said specifically that she would put it today.

I ask the honourable senator to tell us why he is not willing to speak to this item so that we can have the question. Failing that, when he speaks next week, will we then have the question, yes or no?

**Senator Austin:** Honourable senators, that is a rather unusual statement that Senator Stratton has just made.

Members of this chamber dispose of the business of the chamber. I respect the fact that Senator Andreychuk is anxious to have her motion passed. There have been many motions on this side, over the years, that we have been anxious to have passed, and the other side had another view.

Today, I am saying that I am prepared to speak next week on this issue. I might add that I would like to take into account the position of the Government of Canada at the G8 summit before I speak. That summit is being held from July 6 to 8. I will be ready to speak next week if we come to this point in the Order Paper some time next week.

**Hon. A. Raynell Andreychuk:** Honourable senators, I brought this motion on March 22, because I thought one of the roles of the Senate was to give advice to the government. The House of Commons felt the same way. As a result of that, I stood up and said that I would like to vote this Thursday so that we would be in a position to give this chamber's advice to the government. I perfectly understand that there are people who support this motion, but I also know that there are some who are desperately against it.

I would like an expression of this house as advice to the government before Gleneagles, as it will be of little value after. That is precisely where the entire world community is expressing itself.

It is rather curious that the government accepted the advice of the House, allowed that matter to proceed, and without the benefit of the Senate's advice. I believe we are an equal chamber. I appeal to the honourable senator to speak on Monday so that the government could hear the advice, whatever that advice may be.

I have purposely not campaigned; I think it is a question of conscience.

**Senator Austin:** I am not standing on a point of order because the comity of the chamber should permit Senator Andreychuk to express her views, although there is no place in the chamber for her to make another speech, having made one already on this subject.

Senator Andreychuk has one point of view and there are others with other points of view. I appreciate the honourable senator's point of view, but I do not necessarily share it.

Certainly, I do not believe that what this chamber might say in regard to this matter would be of assistance to the government. It might be of assistance to others who have views that are different from the government.

Honourable senators, I have moved the adjournment and I would like to speak to this matter next week.

On motion of Senator Austin, debate adjourned.

• (1630)

[*Translation*]

## INTER-PARLIAMENTARY UNION

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fraser calling the attention of the Senate to the work of the IPU.—(*Honourable Senator Prud'homme, P.C.*)

**Hon. Pierre Claude Nolin:** Honourable senators, I see that this is the fifteenth day this inquiry has appeared on the Order Paper. I think this is a highly interesting topic. I am a member of the NATO Parliamentary Association and the Inter-Parliamentary Union. I am interested in hearing what other senators have to say on this matter.

It would be a shame if this inquiry ended today. That is why I rose to set back the clock to allow my colleagues wishing to speak to this inquiry to do so.

**The Hon. the Speaker *pro tempore*:** Is it agreed, honourable senators?

[ Senator Andreychuk ]

**Hon. Senators:** Agreed.

Omotion of Senator Prud'homme, debate adjourned.

[*English*]

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

### COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

**Hon. Michael Kirby,** for Senator Keon, pursuant to notice of June 29, 2005, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be empowered, in accordance with rule 95(3), to sit from September 19 to 23, 2005, even though the Senate may then be adjourned for a period exceeding one week.

**Hon. Noël A. Kinsella (Leader of the Opposition):** Senator Keon is here. Should he not move the motion?

**Senator Kirby:** Honourable senators, I will take one minute to explain the purpose of the motion. Now that the House of Commons is not returning until September 26, the motion is a precaution for the Standing Senate Committee on Social Affairs, Science and Technology on the understanding that this house may also not return until September 26.

The committee has one more round table to conduct on its study of mental health, mental illness and addiction. It is a round table on Aboriginal mental health, which we are hoping to do that week. We would also like to spend a fair bit of time that week reviewing the draft material for the report, which will be prepared over the summer.

The purpose of the motion is to receive approval for the committee to proceed with its work during the week of September 19 if the Senate is not sitting. This motion has the unanimous support of all members of the committee.

**The Hon. the Speaker *pro tempore*:** Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

### MOTION TO AUTHORIZE COMMITTEE TO STUDY APPLICATION OF CHARTER OF RIGHTS AND FREEDOMS IN THE SENATE—DEBATE ADJOURNED

**Hon. A. Raynell Andreychuk,** pursuant to notice of June 29, 2005, moved:

That the Senate refer to the Standing Committee on Rules, Procedures and the Rights of Parliament the issue of developing a systematic process for the application of the Charter of Rights and Freedoms as it applies to the Senate.

She said: Honourable senators, I wish to comment on this matter on another date.

On motion of Senator Andreychuk, debate adjourned.

#### 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 Monday, July 4, 2005, at 4 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Monday, July 4, 2005, at 4 p.m.

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**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 30, 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 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	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	05/06/29*	31/05
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	05/06/07	Transport and Communications	05/06/16	0	05/06/21		
S-33	An Act to amend the Aeronautics Act and to make consequential amendments to other Acts	05/05/16	Bill withdrawn pursuant to Speaker's Ruling 05/06/14						
S-36	An Act to amend the Export and Import of Rough Diamonds Act	05/05/19	05/06/09	Energy, the Environment and Natural Resources	05/06/16	0	05/06/20		
S-37	An Act to amend the Criminal Code and the Cultural Property Export and Import Act	05/05/19	05/06/15	Foreign Affairs	05/06/29	0			
S-38	An Act respecting the implementation of international trade commitments by Canada regarding spirit drinks of foreign countries	05/05/31	05/06/15	Agriculture and Forestry	05/06/23	3			
S-39	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	05/06/07	05/06/15	Legal and Constitutional Affairs					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-40	An Act to amend the Hazardous Materials Information Review Act	05/06/09	05/06/30	Social Affairs, Science and Technology					

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-2	An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act	05/06/14	05/06/20	Legal and Constitutional Affairs					
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	05/06/09	0 observations	05/06/22	05/06/23*	29/05
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	05/06/08	National Finance	05/06/16	0	05/06/21	05/06/23*	26/05
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

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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
C-22	An Act to establish the Department of Social Development and to amend and repeal certain related Acts	05/06/09	05/06/21	Social Affairs, Science and Technology					
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	05/06/14	Social Affairs, Science and Technology					
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-26	An Act to establish the Canada Border Services Agency	05/06/14	05/06/29	National Security and Defence					
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-38	An Act respecting certain aspects of legal capacity for marriage for civil purposes	05/06/29							



No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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-43	An Act to implement certain provisions of the budget tabled in Parliament on February 23, 2005	05/06/16	05/06/21	National Finance	05/06/28	0	05/06/28	05/06/29*	30/05
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
C-48	An Act to authorize the Minister of Finance to make certain payments	05/06/28							
C-56	An Act to give effect to the Labrador Inuit Land Claims Agreement and the Labrador Inuit Tax Treatment Agreement	05/06/16	05/06/20	Aboriginal Peoples	05/06/21	0	05/06/22	05/06/23*	27/05
C-58	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2006 ( <i>Appropriation Act No. 2, 2005-2006</i> )	05/06/15	05/06/21	—	—	—	05/06/22	05/06/23*	28/05

#### COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-259	An Act to amend the Excise Tax Act (elimination of excise tax on jewellery)	05/06/16							
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**

<b>No.</b>	<b>Title</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>Committee</b>	<b>Report</b>	<b>Amend</b>	<b>3<sup>rd</sup></b>	<b>R.A.</b>	<b>Chap.</b>
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	Dropped from Order Paper pursuant to Rule 27(3) 05/06/16						
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	05/06/29	0			
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		
S-15	An Act to prevent unsolicited messages on the Internet (Sen. Oliver)	04/10/20		Subject-matter 05/02/10 Transport and Communications					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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	05/06/23	1	05/06/28		
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. Forrester)	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							
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<b>No.</b>	<b>Title</b>	<b>1<sup>st</sup></b>	<b>2nd</b>	<b>Committee</b>	<b>Report</b>	<b>Amend</b>	<b>3rd</b>	<b>R.A.</b>	<b>Chap.</b>
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