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THE HONOURABLE DANIEL HAYS
SPEAKER

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THE SENATE

Thursday, October 27, 2005

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before I start the proceedings, I should like to draw to your attention the presence in our gallery of representatives of the Embassy of the Republic of Botswana: His Excellency Lapologang Lakoa, High Commissioner for Botswana; Herold Luke, Second Secretary; and Marcel Belanger, Honorary Consul for Botswana. They are the guests of Senator Rompkey.

On behalf of all honourable senators, welcome to the Senate of Canada.

Honourable senators, I should also like to draw your attention to the presence in the gallery of Ms. Dorothy Zinberg, faculty member in the program for Science, Technology and Public Policy at Harvard University; and Ms. Holly Sargent, Senior Associate Dean, University Advancement and Senior Director for University Women's Initiatives at Harvard University. They are the guests of Senator Dyck.

On behalf of all honourable senators, I welcome you both to the Senate of Canada.

SENATORS' STATEMENTS

IRAN

NUCLEAR WEAPONS PROGRAM

Hon. David Tkachuk: Honourable senators, yesterday Iran's president publicly called for Israel to be "wiped off the map," with the crowd responding, "Death to Israel. Death to America." His words leave little room for interpretation; his meaning is clear. In another time, we have heard other Arab leaders say things like this and we have said nothing. We cannot afford to do so today.

For some time now, Iran has been clear about its nuclear ambitions. It is estimated that they are 5 to 10 years away from building a weapon that would fulfil the Iranian president's dream. On September 24 of this year, no less a body than the International Atomic Energy Agency, the recent winner of the Nobel Peace Prize, found Iran in non-compliance with its nuclear safeguard agreement. Further, it pointed to a history of concealment in this area, leading to strong doubts that its nuclear program was for peaceful purposes. The independent and prestigious International Institute for Strategic Studies points to recent intelligence that Iran is developing a Shahab-3 missile, a weapon with a payload ideally suited for a nuclear weapon. Iran has barred inspectors from all locations near its military program.

Honourable senators, Iran has stated clearly its intentions and is busy building the weapons to fulfil them. The Prime Minister has condemned the Iranian president for his words. He said they fuelled hatred and anti-Semitism. We need to move beyond words to action. We need to stand side by side with the United States and Israel to do everything we can to halt Iran's nuclear weapons program, and we need to convince all UN Security Council members to take appropriate UN action in this regard. These measures are just for starters.

WOMEN IN SCIENCE

Hon. Lillian Eva Dyck: Honourable senators, as you have just heard, we have in the Senate gallery this afternoon two internationally renowned women from Harvard University: Dorothy Zinberg and Holly Sargent. Dr. Zinberg is a faculty member in the program for Science, Technology and Public Policy. She was a biochemist for 10 years at Harvard University before undertaking her doctorate in sociology. In addition to publishing numerous papers and books, teaching and conducting research, Dr. Zinberg has served on many boards, panels and committees, such as the NATO Panel on Science and Technology Policy.

Holly Sargent is Senior Associate Dean for University Advancement and Senior Director for University Women's Initiatives. She has an outstanding record of securing major gift support to Harvard University that has helped create many initiatives in women's issues in human rights. She has developed an advisory board of distinguished women leaders to support women's programs at the Kennedy School of Government.

This morning, these two remarkable women led a discussion on Women and Science, The Harvard Experience: Bridges to Canadian Context. The panel was chaired by Arthur Carty, National Science Adviser to the Prime Minister; and was co-hosted by Carole Swan, Associate Deputy Minister, Industry Canada and myself.

Honourable senators, in January 2005, comments made by the President of Harvard, Lawrence Summers, resulted in the establishment of two task forces on women in minorities in science and a commitment of \$50 million U.S. over 10 years to support the task force's recommendations. As you know, underrepresentation of women in science is not unique to Harvard. It occurs throughout Canadian universities.

In Canada, we have many organizations that work independently to increase the participation of girls and women in science and technology. We have organizations in the federal government, non-government organizations and programs such as the Natural Sciences and Engineering Research Council of Canada, NSERC, Chairs for Women in Science and Engineering. We have the Canadian Coalition for Women and Science and Technology, CCWEST, which is working toward establishing a national body to coordinate the efforts of all these organizations.

This morning, Dr. Carty, following the round table discussion, committed to support from his office to bring together the key people, the small group of leaders, who will bring leadership to the issue. This group will create a blue ribbon national committee that other countries could look to for cohesive, comprehensive solutions to increasing the participation of men and particularly women in science and technology.

Hon. Senators: Hear, hear!

• (1340)

INTER-PARLIAMENTARY DISCUSSION ON MIDDLE EAST ISSUES

Hon. Marcel Prud'homme: Honourable senators, I did not give my name to participate today. Rarely do I agree with Senator Tkachuk on issues involving the Middle East. However, I will state, in a nuanced way, that I agree with this condemnation.

I did more than that; I made my view known directly to the Embassy of Iran in meetings with officials there last week and again this morning.

I have no desire to side with the United States and Israel, who just voted alone against a Canadian initiative on UNESCO. I do not need the United States and Israel to endorse my conduct. I simply find what has been said to be unacceptable. Senator Tkachuk is busy with Senator Fraser, who took more initiative in the Inter-Parliamentary Union, IPU, as recently as two weeks ago in Geneva.

Condemning is easy. Mr. Trudeau used to say that words are easy. However, in my view as a parliamentarian, engaging with people in a vigorous, civilized discussion is more efficient.

I would be more than happy if Senator Tkachuk, for whom I have a great deal of friendship and respect, would join with me some day. We could easily do so outside of the Standing Senate Committee on Foreign Affairs. This committee should look into these matters. Unfortunately, the committee is too busy on other issues to tackle the hot issue of the day. I think we could discuss this issue.

We should remember, when saying Iran should not have a nuclear possibility in 5 to 10 years, that they are next to a country that has been a nuclear power for about the last 40 years, courtesy of France and Charles de Gaulle — and that is Israel. The arms race started in Israel, which gives all its neighbours a taste for the same. Those who did not have the know-how had the money to buy the technology. It is not pleasant to say those surrounding countries had no knowledge but the money to buy it, but that is what they did.

We must go further than condemnation. I join with Senator Tkachuk in saying it is unacceptable. I join with him in saying we can do more. However, I would like to go further than just plain condemnation and making speeches to say how strongly we condemn that action.

I find it amazing that during this time of crisis and danger in the Middle East our business community is still stampeding to get contracts in Iran. I think we should have consistency.

LITERACY ACTION DAY

Hon. Joyce Fairbairn: Honourable senators, today Parliament Hill has been invaded by an army of 65 crusaders calling on all of us to pull up our socks and put some muscle behind the cause of literacy in this country. A startling number of 42 per cent of Canada's adult citizens are at risk every day because they lack the routine skills of reading, writing, numeracy and communications, which most of us simply take for granted.

Thanks to our national associations, led by the Movement for Canadian Literacy, this is the twelfth annual Literacy Action Day on the Hill. We are encouraged to meet with, to listen to and to learn from advocates and learners that this issue is tarnishing our country and the opportunities of citizens, young and old, to build a decent life for themselves and their families.

The good news is that more than 70 parliamentarians were listening. They heard what Literacy Minister Claudette Bradshaw heard when she toured Canadian communities, large and small, this past summer. Our people want to help and that includes our learners. They are tired of piecemeal plans, which come and go. They want some kind of security within a well-thought-out, 10-year plan, which Minister Bradshaw is already working to develop.

They are pleased with the most generous budget ever, which focused on support for workplace skills and training; second language assistance for immigrant settlement; serious support for Aboriginal citizens on and off reserves; and a \$30-million investment in the National Literacy Secretariat, the agency that understands and works in partnership with every province and territory, as well as programs on the ground. It truly is the human face of the federal government's commitment to literacy and must be protected and expanded.

This is my twenty-first year working on this cause. It is the first time I have felt we are truly committed to significant progress. I am grateful for the support of many colleagues in this house — all the colleagues in this house who have spoken up here and are on the ground helping to make a difference. Indeed, every one of them has been supportive and I will continue to lean on them for that secure encouragement.

We are at a crossroads on this issue. It is time to find the right tools to cut down those grim statistics and offer every citizen in Canada — wherever they live, and whatever their age or circumstance — a fair chance at the incredible opportunity on display in this blessed country.

I know, without doubt, that working together we can truly make a difference.

ROUTINE PROCEEDINGS

CLERK OF THE SENATE

2004-05 ANNUAL ACCOUNTS TABLED

The Hon. the Speaker: Pursuant to the Senate administrative rules, I have the honour to table the clerk's statement of receipts and disbursements for the year ended March 31, 2005.

[Translation]

THE ESTIMATES, 2005-06

SUPPLEMENTARY ESTIMATES (A) TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, of the Supplementary Estimates (A) 2005-06, for the fiscal year ending March 31, 2006.

[English]

CANADA'S LINGUISTIC DUALITY: A FRAMEWORK FOR MANAGING THE OFFICIAL LANGUAGES PROGRAM

UPDATE ON THE IMPLEMENTATION OF THE ACTION PLAN FOR OFFICIAL LANGUAGES

DOCUMENTS TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table a copy, in both official languages, of two documents entitled *La dualité linguistique canadienne: Un cadre de gestion pour le programme des langues officielles* and *Update on the Implementation of the Action Plan for Official Languages*.

THE ESTIMATES, 2005-06

GOVERNMENT RESPONSE TO NATIONAL FINANCE COMMITTEE THIRD INTERIM REPORT TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table the government's response to the twelfth report of the Standing Senate Committee on National Finance.

SPEAKER'S DELEGATION TO POLAND

REPORT TABLED

Hon. Daniel Hays: Honourable senators, I have the honour to table a report of a Speaker's trip to Warsaw and Gdansk, Poland to represent Canada and the Prime Minister of Canada at the twenty-fifth anniversary celebrations of the founding of Solidarity and the entering into of its first agreement with the Government of Poland.

THE ESTIMATES, 2005-06

NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUPPLEMENTARY ESTIMATES (A)

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) for the fiscal year ending March 31, 2006.

• (1350)

[Translation]

ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

BUREAU MEETING AND THIRTY-FIRST SESSION, JULY 5-9, 2005—REPORT TABLED

Hon. Pierre De Bané: Honourable senators, pursuant to rule 23.6 of the *Rules of the Senate*, I have the honour to table, in both official languages, the report of the Canadian Branch of the Assemblée parlementaire de la Francophonie respecting its participation at the APF Bureau meeting held in Brussels, Belgium, on July 5, 2005, and at the thirty-first annual session of the APF, also held in Brussels, Belgium, from July 6 to 9, 2005.

[English]

QUESTION PERIOD

CANADA-UNITED STATES RELATIONS

MAINE—PROPOSED LIQUEFIED NATURAL GAS TERMINALS

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, my question to the Leader of the Government in the Senate relates to the project that is being proposed in Northern Maine across the Passamaquoddy Bay. We have had the opportunity to raise this issue on the floor of the Senate previously. Was it one of the topics of discussion when U.S. Secretary of State Condoleezza Rice was in town this week? Did the Government of Canada urge the Secretary of State to have the Government of the United States do what it could to underscore the tremendous environmental threat should that project go forward, a threat that would impact Canada so adversely?

Hon. Jack Austin (Leader of the Government): Honourable senators, I would have to make inquiries to see whether discussions were held on that topic.

Senator Kinsella: It is my understanding that American Ambassador David Wilkins has stated that the facility will be built if it is sanctioned by the U.S. approval process, irrespective of Canada's wishes. Will Canada make a submission to the

U.S. approval process mechanism, in particular the environmental assessment, when the application is examined? It is clear to anyone who has sailed through that narrow passageway — in particular the largest whirlpool in the world that is affected by tides, which is called Old Sow — that the ability of tankers to make a right-angle turn is affected such that a terrible catastrophe will occur.

It is important for the Government of Canada to make an intervention in the U.S. approval process forum. Is the government giving consideration to doing just that?

Senator Austin: Honourable senators, I will make inquiries to learn whether Senator Kinsella's representations are being considered.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

KASHECHEWAN RESERVE—WATER QUALITY

Hon. David Tkachuk: Honourable senators, my question concerns the water quality and supply emergency on the Kashechewan reserve in Northern Ontario. The community has been under a boil water advisory since 2003. Two weeks ago, water sample tests found the presence of the dangerous E. coli bacteria. The water quality has been blamed for stomach problems, severe skin infections and open sores. There are also reports of an outbreak of hepatitis A.

Yesterday the Premier of Ontario said that the federal government's response has been "missing in action" and ordered the evacuation of the community to Sudbury. In light of the fact that the provincial government has had to step in and take charge of the situation, what actions did the federal government take in the week leading up to the evacuation order?

Hon. Jack Austin (Leader of the Government): Honourable senators, this is an unfortunate situation that has been allowed to develop, and it should have been dealt with previously. As the Prime Minister said, the Government of Canada takes its responsibilities seriously. The Minister of Indian Affairs and Northern Development, the Honourable Andy Scott, will make an announcement later today with respect to further actions that the government is taking.

Senator Tkachuk: Honourable senators, two days ago, on October 25, the Department of Indian Affairs and Northern Development released its so-called action plan to deal with the crisis on this reserve. Two weeks ago, the government knew that there was E. coli there. The plan consisted of little more than continuing the bottled water shipments and initiating a water quality study. It was merely proof of the neglect that led to the crisis in the first place. Why did the federal government choose to maintain the status quo rather than dealing proactively with this water quality emergency?

Senator Austin: Honourable senators, my understanding is that on October 12 of this year a mechanical malfunction at the water treatment plant on the Kashechewan First Nation reserve gave rise to the concern regarding the presence of E. coli.

The Government of Canada has an agreement with the Province of Ontario under which it is their responsibility to respond but our responsibility to pay the costs of a response, so the definition of the concern is, by agreement, theirs.

Minister Scott was on the property in August and was made aware of the issue there. He was assured that engineering steps would remediate the problem and ensure the water quality. That has not been the case. Therefore, the decision to take the current step of removing people from the area to protect their health was necessary.

The Government of Canada has a water remediation program and has committed close to \$2 billion, I believe, to improve water treatment on Aboriginal reserves across this country. Measures were being taken. Fortunately, no one was seriously injured by this water quality issue and the next steps will be announced by Mr. Scott later today.

Senator Tkachuk: Honourable senators, I do not want to be argumentative, but I do not know whether we can say that no one has been injured, because these people have been under a boil water advisory since 2003, which means there was probably already fecal matter in the water but it had not yet become the E. coli virus. It is embarrassing for a country like Canada to have let a situation like this continue for two years, with no action being taken by the federal government.

I would ask the Leader of the Government in the Senate to make inquiries to ascertain whether any federal departments or the Prime Minister's Office received representations in recent weeks from Phil Fontaine, the Grand Chief of the Assembly of First Nations, concerning the water crisis on this particular reserve and, if so, perhaps the leader could table such representations in this chamber.

• (1400)

Senator Austin: I will be happy to make inquiries with respect to any communication received from Grand Chief Phil Fontaine. As I have said, this issue was one of concern and was brought to Minister Scott's personal attention in August.

HEALTH

CANADIAN CANCER SOCIETY—FUNDING AND ADOPTION OF NATIONAL CANCER STRATEGY

Hon. Wilbert J. Keon: Honourable senators, my question for the Leader of the Government concerns the national cancer strategy. Last week, the Minister of Health announced funding of \$59.5 million over five years for a national cancer strategy. This amount is far less than the \$260 million that cancer groups have said is required. In response to the funding announcement, the Canadian Cancer Society described it as just a down payment and said, "More funding is needed to have a real impact on this disease." Why did the federal government choose to allocate less than the society requested; and will there be an adjustment?

Hon. Jack Austin (Leader of the Government): Honourable senators, the creation of a national cancer strategy is of critical importance. Understanding the appropriate steps to take with a national strategy, determining whether to create centres of excellence or to support the existing centres of excellence, and

receiving advice from the Canadian Medical Association and from its peer groups with respect to the strategies that will fall within an umbrella strategy are all issues that are being considered and assessed. There is some interest in the submission but also some concerns that the targeting of the spending may not be the best way to use money to fight cancer. That is the subject of study today, and I hope it moves forward quickly.

Senator Keon: In keeping with that, the Canadian Cancer Society says that a strategy has been developed, and *The Globe and Mail* has reported that internal differences between Health Canada and the public health agency have kept the federal government from announcing its adoption. *The Globe and Mail* also claims that the Minister of Health and the Minister of State for Public Health have a serious difference of opinion about this strategy at the present time and that all of these forces are converging to delay progress and an announcement.

Could the leader tell us if every effort is being made to resolve this situation, to come to a consensus, and to make an announcement and, hopefully, a further adjustment in the funding?

Senator Austin: Honourable senators, I do not adopt or agree with the comments made in *The Globe and Mail* with respect to conflicts amongst various sectors and centres that deal with this particular issue of cancer and how the Government of Canada should be approaching the furthering of our capacity to deal with cancer.

As I said, a number of issues are relevant in deciding what strategy to adopt and what the sub-strategies should be. For example, in my province, the B.C. Cancer Institute has made substantial financial requests and presents a view of its expertise that needs to be considered and discussed. Of course, other cancer centres in Canada also have expertise and views on what they should be allowed to do. Therefore, we need an overall strategy, and we need a reconciliation within the peer groups of their particular way of proceeding so that we do not spend money on unnecessary duplication in different locations in the country.

The federal government and the provinces also require peer group advice with respect to the evaluation of various research submissions. The CIHR is the federal instrument for making peer group decisions, and I know Senator Keon is familiar with its approach to cancer. It has made some interesting commitments, interesting both as to what they have done and what they have not accepted.

FOREIGN AFFAIRS

IRAN—STATEMENT BY PRESIDENT REGARDING ISRAEL

Hon. A. Raynell Andreychuk: Honourable senators, Senator Tkachuk raised the issue of the statements made by the President of Iran. Could the Leader of the Government in the Senate tell us what action the Government of Canada will take bilaterally or internationally with respect to these most troubling statements?

[Senator Austin]

Hon. Jack Austin (Leader of the Government): The Prime Minister responded yesterday, and Senator Tkachuk made reference to the Prime Minister's denunciation of the statements made by the President of Iran.

As for action, honourable senators, the matter is at the beginning of an assessment.

Senator Andreychuk: In light of the severity of the comments, will the government consider taking this issue to the United Nations? I am not talking about expulsion, which I think is counter-productive.

Senator Austin: I take it Senator Andreychuk is making that recommendation, and I will certainly pass it on to the Minister of Foreign Affairs. I know Senator Andreychuk is aware that countries such as France and Spain have equally condemned the statement made by the President of Iran.

[Translation]

ISRAEL—SIGNING OF NUCLEAR NON-PROLIFERATION TREATY

Hon. Marcel Prud'homme: Honourable senators, in order to clarify the situation and, dare I say it, even help some of our colleagues understand Canada's foreign policy toward that part of the world, could the Minister of Foreign Affairs, my successor as an MP, reiterate that it is also Canada's policy to call upon the State of Israel to sign the Nuclear Non-proliferation Treaty? It seems that is a forbidden topic. This is not a policy I or some troublemakers have invented; it is Canadian policy, though not one we hear much about.

Each time I have discussions with Foreign Affairs, I am told that we want Israel to sign the Nuclear Non-Proliferation Treaty, because Israel has had hundreds of nuclear, biological and other weapons for several decades. It would be a good thing to comply with the wishes of Senators Tkachuk and Andreychuk, as well as myself, on better negotiations with Iran and on showing Canada's balanced approach. As I said, I spoke with them last week. I also spoke with people from Iran before coming into this chamber, indicating to them that this statement was certainly unacceptable and does nothing to help the current discussions.

We urge you, Mr. Minister, to ask the Minister of Foreign Affairs and the Prime Minister of Canada to officially define Canada's policy on the Middle East with respect to nuclear weapons and the non-proliferation treaty, which Israel has never signed. I think that is a reasonable request.

[English]

Hon. Jack Austin (Leader of the Government): Honourable senators, Senator Prud'homme raises an important issue. The world community has been concerned, even, I might add, significantly concerned, with Iran's nuclear program. It has entered into non-proliferation obligations. According to the International Atomic Energy Agency, it is in breach of those obligations. Discussions are under way with respect to a reference of those breaches to the Security Council.

• (1410)

There have been many occasions when Canada has joined in protesting the actions of deception and concealment that the IAEA identified with respect to Iran's nuclear programs.

Given the statement made by the President of Iran regarding Iran's disclosed objective with regard to its relations with Israel, which is to ensure the destruction of Israel, the question raised about Israel's nuclear program is probably a second step.

I cannot speak for the Minister of Foreign Affairs on this issue directly, but I know that past discussions with Israel have not caused Canada or the United States alarm with respect to its nuclear program, if they have one. They refuse to acknowledge such a program. The conclusion is that Canada has not been alarmed with whatever it understands Israel's program to be, but the world community is quite alarmed with respect to Iran.

Senator Prud'homme: Honourable senators, I have heard that the policy of the Canadian government has not been reaffirmed in the world. The Canadian policy must continue publicly; it is not a personal policy. I am clearly expressing my opinion with regard to the policy of the Government of Canada, on behalf of all political parties, that Israel should sign the non-proliferation treaty.

I say to the honourable senator, as someone who has followed this issue for 51 years, that it would help if we were tougher. In the name of Canadian equilibrium, we should remind our friend, not ally, the State of Israel, that they should sign the non-proliferation treaty, thereby admitting they have been a nuclear power since the beginning of the arms race 40 years ago. The arms race between the Soviet Union and the United States began with the U.S., our friend and neighbour, at the end of the Second World War when two nuclear bombs were detonated.

For 30 years, we have continued to deny that Israel is a nuclear power. Even I, as a former chairman of the Foreign Affairs and National Defence committee, was asked never to mention the issue. We know that Israel is a nuclear power, and they encourage their neighbours to take part. We also know their neighbours cannot possibly participate, intellectually or scientifically, but they can buy the technology. That is what is happening in that arms race.

Senator Austin: Honourable senators, I do not know whether a question has been posed, but Senator Prud'homme has alluded to an issue.

Canada's official position is that Iran must suspend all activities related to uranium enrichment until a satisfactory agreement is reached with the IAEA, the U.K., France and Germany, which are representing the international community. Their resumption of conversion is a breach of the Paris agreement and successive IAEA resolutions.

Canada believes that if Iran does not resume the suspension of all uranium-enrichment activities, the IAEA must take immediate action and report the issue to the United Nations Security Council.

With respect to the honourable senator's representations regarding Israel, if he has evidence that anything Israel does might be related to Iran, I would be delighted to consider it with him.

Hon. Yoine Goldstein: In the name of "equilibrium," terminology that has just been used by the honourable senator, is there any equation to be made between the mere non-signature in compliance of a treaty, on the one hand, and a call for the eradication of a state by force, on the other?

Senator Austin: Honourable senators, I could not have put the equation better.

ORDERS OF THE DAY

PUBLIC SERVANTS DISCLOSURE PROTECTION BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Smith, P.C., seconded by the Honourable Senator Eggleton, P.C., for the second reading of Bill C-11, An Act to establish a procedure for the disclosure of wrongdoings in the public sector, including the protection of persons who disclose the wrongdoings.

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, I rise to participate in the debate at second reading on an important legislative initiative that finds its roots in earlier work by this chamber.

I would like to begin by pointing out to honourable senators, with the greatest of modesty, that many of us in this chamber support the general principle of the bill, and I particularly support it. However, there are still problematic issues of detail, and I hope to address some of those now.

As Senator Smith clearly pointed out the other day, Bill C-11 aims at the prevention of wrongdoing in the public service by establishing a framework for ethical practices in the workplace dealing with allegations of wrongdoing and protecting whistleblowers.

This bill addresses a concern that many of us have held in this chamber, and it is decidedly overdue. We are far behind our colleagues in Australia, the United States, New Zealand and the United Kingdom in enacting such legislation.

As Senator Smith discussed in the chamber on October 25, no one is sure why this bill has taken so long to come into being, especially given that it was a Liberal commitment in the 1993 federal election campaign to do so. There is written documentation expressing in black and white a commitment that after the election of 1993 the government would be bringing in a whistle-blowing bill. It is now 2005, so that commitment was made 12 years ago.

Honourable senators, Bill C-11 represents another chapter of what has become an unacceptably long story of delay and slow commitment by this government. We are satisfied that the Conservative initiative to keep this item on the front burner has been successful. The need in today's world to protect public service employees is critical at a time when the complexity of the workplace and of the various dynamics that come to bear on the safety and rights of citizens is different from times past. Thus, some time ago in this chamber we recognized that it was critical for us to have a solid piece of whistle-blowing legislation — a mechanism that would be effective so that unethical and corrupt conduct would not be allowed to gain a foothold.

- (1420)

Unfortunately, our initiatives were undermined at every opportunity by the current government in an inexplicable manner, given the reliance of the government on the concept of such protection, touted, as I mentioned, in the election promises of 12 years ago. My private member's bill, Bill S-6, was embraced by this chamber and it was well studied by senators in the National Finance Committee. The then responsible minister wanted to try to deal with whistle-blowing through a policy model. Most senators on the committee were skeptical of the effectiveness of such a policy approach but that is what did unfold. Only after the public integrity officer, who was appointed under that policy approach of Treasury Board, stated that he was incapable of protecting employees, did the government concede that, indeed, the Senate was right in saying that legislation was needed.

In response, the government introduced the highly deficient Bill C-25, which, rather than protect whistle-blowers, would protect public service employees in name only. The bill proposed that employees would be required to report their concerns internally to their supervisors rather than to a neutral third party. Victims of reprisals were not protected; the commissioner did not report directly to Parliament; and the bill contained a laundry list of exempted employees. With the election call in 2004, Bill C-25 died on the Order Paper, and its loss was not overly mourned by many. The shortcomings of the approach in Bill C-25 became more evident when Auditor General Fraser decried the existence of a reign of terror at the Office of the Privacy Commissioner, and then the sponsorship scandal blew wide open.

Despite the path that government ought to have pursued to remedy the situation, it chose to introduce yet another bill that fell far short of providing real protection to public service employees. Even after embarking on the third round of discussions on this topic, the government still held fast and promoted the draft of Bill C-11 that was first introduced in the other place. At that time, Bill C-11 ignored the need for an independent third party to evaluate disclosures and, instead, promoted a system wherein those accused with abusing the system would be charged with rectifying it internally.

Employees were protected only in cases where they could provide complete information on the wrongdoing. Simply providing information would not be sufficient to trigger the new act. Quite unbelievably, the provisional draft of Bill C-11 attempted to protect not public service employees but

politicians from the wrath of a disgusted electorate. Any revelations made by employees were to be kept secret for 20 years, which is more than enough time for the remnants of any potential scandal to dissipate and for the key players to have changed.

Major government entities were not included in the original draft of Bill C-11 and the commissioner was not permitted to investigate disclosures made by the public.

It is only through the diligent work of the members in the other place, as indicated by the Honourable Senator Smith, that these gross missteps were corrected in the House committee. Significant amendments, in particular to the original draft of Bill C-11, have been made. I agree with Senator Smith that the bill has been greatly improved from the first draft that was initially introduced in the other place.

While those amendments represent a step in the right direction, the bill, as adopted in the other place and received in the Senate, still contains problematic deficiencies that necessarily raise the question: Is this bill intended to protect public service employees who uncover and report wrongdoing; or does it serve to create a regulatory system that will inevitably exclude and discourage many sincere whistle-blowers from disclosing deficiencies to the public?

Bill C-11 offers no protection to those whistle-blowers who do not follow the bill's procedures exactly, irrespective of how accurate the information may be. The bill should protect all disclosures made in good faith, regardless of whether the employee has successfully navigated the complex, legalistic statute.

As well, the bill before the house does not recognize the particularly abhorrent nature of acts of revenge against an employee who acts in good faith to return honesty to the public service. The bill does not provide specific remedies for employees who are targeted for speaking the truth. They have only costly and often inaccessible and intimidating wrongful dismissal legal processes. Additionally, the definition of "reprisal" in the bill is unnecessarily narrow and could conceivably not include a broad range of subtle, yet equally insidious, actions intended to punish the employee for making a good faith disclosure.

Honourable senators, we have learned a great deal over the years about discrimination perpetrated out of ill will as well as intent-neutral discrimination, otherwise known as systemic discrimination with its adverse effects. It would seem that whistle-blowing legislation should deal with systemic issues of unethical conduct, systems and processes in the public service.

Further, the identities of individuals who abuse the public trust, who manipulate their positions of power and who defraud Canadians are still protected because the bill contains no provisions that determine when rulings may be made public. The identity of wrong-doers is protected. As if this oversight were not enough to reduce the public's faith in the intentions of the government, Bill C-11 still allows for the protection of information for five years.

Honourable senators will find the term “chief executive” in the interpretation section on page 2 of the bill. The term “chief executive” is described as the deputy head or chief executive officer of a department.

• (1430)

I underscore the point because one might see in that kind of terminology an attempt to utilize private sector organizational concepts and language to deal with the public sector. I submit that the public sector is a radically different environment than the private sector. In the public sector, citizens are not clients and we see that term used often. “Stakeholder” is another term that arises. When I saw the term “chief executive,” I asked what was wrong with the term “deputy minister.”

Honourable senators, there is a new language or vocabulary, but that may speak to a different concept of the public service than we read in one of the preambular paragraphs that speaks to an extension of Parliament.

Under this bill, the deputy minister or chief executive may opt to refuse to disclose any records pertaining to whistle-blowing under the access to information system or the privacy legislation for this five-year period that I mentioned. However, I will quickly add that five years is much better than the 20 years that was in the original draft of the bill.

Bill C-11 does not extend protection to the large number of employees who work on contract or as consultants with the public service. This group forms a large part of the machinery of government. Such individuals on contract, and consultants, are often privy to the same information and have the same responsibilities as a full-time public service employee, yet this bill does not afford them the same consideration under the law. This arbitrary distinction undermines the rationale for the bill.

Treasury Board cannot have it both ways. They are trying to keep the size of the formal public service down by hiring people on contract, and consultants, because they want the flexibility of management. In conjunction with that practice, one must ask what the safeguards are. What are the safeguards in terms of fairness in hiring when a greater reliance is placed upon hiring these consultants or these contract employees?

Some suggest that this practice is a way to avoid the public service employment process and that many abuses could find their way forward by using that process to staff the public service rather than the traditional process of public competition. That is really a different issue, but it is an important one.

That discussion relates to this bill in that a large number of persons working in the public sector do so as consultants or as contract employees. They could apprehend the same kind of wrongdoing as persons who were covered as full-time members of the public service. Therefore, they ought not to be excluded from the operation of the whistle-blowing legislation.

An equally troubling oversight is the ambiguity over the role of unions in the whistle-blowing framework. Collective bargaining is not a bad thing. It has been effective and has brought significant fairness to the Canadian employment sphere, both in the public sector and the private sector. Unions do not have a clear role

under Bill C-11. Bill C-11, for example, as is styled before us, does not allow for representatives of bargaining units to be included in the process. There is a good record of public service unions, the various offices of the unions, the shop stewards and so forth protecting not only the employment rights of public servants, but also the content of the work that is done by their members in the public service. By nature, there is not an inimical relationship between public sector unions and the public servants themselves. There is no necessary conflict of role or function.

Over the years some managers in the public sector have adopted a view that somehow unions are bad and not to be trusted. I do not think that is acceptable and I do not think it is true.

Given the real history of the work of the public sector unions in Canada, at both the federal and provincial levels, the role they have played is essential in protecting public servants and their members. Their role in the framework of whistle-blowing must be more thoroughly contemplated and we will continue to contemplate that as we study this bill.

Bill C-11 still permits the Prime Minister’s cabinet to exclude certain Crown corporations and other bodies from the scope of the legislation. Once again, the very officials who may be responsible for wrongdoing are permitted to make determinations that can affect potential investigations. We have seen that the sponsorship scandal involved just these types of Crown corporations and often involved officials at the highest level. If a fraud is committed, can we really expect those involved not to be tempted to exercise their discretion to cover up a potential disclosure, especially in this time of precarious parliaments?

The version of Bill C-11 now before the Senate is fundamentally different from the bill first introduced and debated by the committee of the other place. Some of the provisions that are now in the bill before us have not been previously reviewed by a committee of parliamentarians. The nature of the amendments suggested creates a distinctly different piece of legislation, and our traditional role of review is actually a first opportunity for analysis.

The witnesses who will appear before our Senate committee may wish to be heard on the bill that was amended subsequent to their contribution to the study of the bill in the other place. Our Senate committee work will be greatly facilitated by hearing from those witnesses. For example, we do not need to spread out the hearing of these witnesses, but the kinds of witnesses that we really want to hear from are those who understand this kind of legislation. We would benefit from having their counsel and their analysis on the bill that we are now examining, which is so different from the one that they spoke to before.

• (1440)

By way of suggestion, I hope that individuals who have experienced personally whistle-blowing reprisals, such as Joanna Gualtieri, Allan Cutler and Margaret Haydon, to whom Senator Spivak alluded, as well as other individuals, such as Rubin Friedman, Professor Ned Franks and Professor Hodges, will be called upon to give evidence. Clearly, we will want to hear from officials of the ministry and those officers who served under the other policy model, such as the Public Service Integrity Officer.

I should like to see representatives from a couple of line departments appear as witnesses, such as the Department of Health, the Department of Agriculture, Canada Post and the CBC. As well, it would be helpful to hear from a number of advocacy groups. I would refer to some that appeared before the House committee and others that did not, such as the Canadian Newspaper Association, the Professional Institute of the Public Service of Canada, and CUPE, and to a few experts, both Canadian and from other countries, in particular the public accountability project people in Washington. It would be most helpful to hear from these people to inform the clause-by-clause analysis that the committee will be undertaking.

Honourable senators, the meaning of certain terms in Bill C-11 could do with some explication and clarification, to say the least. Some of the terms are a little confusing and, perhaps, poorly understood.

Honourable senators have raised serious constitutional questions regarding the designation of the Public Sector Integrity Officer. Such thoughtful and probing questions must be pursued and aggressively investigated at the committee level.

I have pointed out the continued failings of this bill. I encourage all honourable senators to demonstrate extra diligence during the committee review of the legislation, as I submit that it could be further improved by thoughtful amendments in the Senate.

We have entered an age in Canadian politics and public affairs that is mired with suggestions of corruption and scandal. We can ill afford an act that purports to protect people who try to restore integrity to the system, if it will make it more difficult and complicated for them to come forward. It is not logical that an act intended to encourage disclosure contains a presumption in favour of government secrecy. To implement such a presumption in favour of secrecy only broadens the category of information that will eventually be withheld from the public. The status quo should be a presumption of transparency, unless the government can establish or prove an exception should be made. It should not be the other way around.

Canada has steadily slipped to its lowest ranking of all time in the Transparency International Corruption Perceptions Index. Canada has dropped almost 10 places in the last decade due to a marked increase in the perceived level of corruption in government. When business people and analysts are telling the international community that Canada is an ever increasingly corrupt country, we must ask ourselves why. We must endeavour to ensure that confused and contradictory legislation such as Bill C-11 does not serve to further damage our international reputation and denigrate the trust of our citizens in our government.

Bill C-11 potentially creates an emergency exit for top-level decision makers to make exceptions to refuse to disclose and to exempt themselves from the impact of the whistle-blowing framework. The effectiveness of Bill C-11 is greatly diminished if it does not apply objectively and without exception to the entire upper echelon of government.

In evaluating this bill, I remind honourable senators that we might want to keep in mind the adage, *corruptio optimi pessima* — the corruption of the best is the worst — to ensure this bill fulfills its original intention and does not inadvertently create a framework of possible loopholes and escape hatches for those among the highest ranks of government. We look forward to the work of the committee.

I underscore support for the bill in principle. However, I think we can come out of committee with a much better and a much improved bill than the one we have here, although I recognize that we have come a fair distance with Bill C-11 from where we were a few years ago.

The Hon. the Speaker: Will Senator Kinsella take a question?

Senator Kinsella: Certainly, honourable senators.

Hon. Lowell Murray: Honourable senators, notwithstanding the reservations to which the honourable senator has referred, I have no doubt that Senator Kinsella is entitled to a good deal of satisfaction, as well as to our congratulations, on seeing his tenacious efforts over so many years now apparently about to bear fruit in the form of this government bill. I congratulate him on that.

I regret to say that I was not in my seat on Tuesday when the sponsor of the bill, Senator Smith, gave us a comprehensive overview of Bill C-11. However, one or two things that caught my attention. I would ask Senator Kinsella to comment on them and perhaps Senator Smith, when he closes the debate, will deal with them.

The first concerns the organizations that are excluded from the application of the bill, including the Communications Security Establishment, CSIS and the Canadian Forces. Senator Smith points out that each of these organizations must establish its own disclosure and reprisal protection regimes similar to those set out in this bill and satisfy Treasury Board that they have done so. It occurs to me that, first, in the spirit of parliamentary cooperation to which Senator Smith referred in his speech, and, second, because Parliament is so central to this whole exercise and to the future success of this legislation, it should not rest only with Treasury Board to be satisfied that the CSE, CSIS and the Canadian Forces, for example, have disclosure and reprisal protection regimes similar to those in the bill. Parliament ought to have something to say about that. I think Parliament ought to have the right to make a determination in that regard. Would the honourable senator comment on that?

Another matter to which the honourable senator alluded, as did Senator Spivak in her speech yesterday, is that this bill gives the Governor-in-Council the right to add or delete any Crown corporation or other public body from the list. As we know, this is a fairly routine provision in a lot of legislation. The Crown is given the right to add or delete bodies from the schedule. Again, in a statute in which Parliament is so central, it seems to me that the government ought not to have the right by itself to do that. There should be some reference to Parliament.

Would the honourable senator care to comment on those issues?

Senator Kinsella: I thank the honourable senator for his questions. He is absolutely correct with regard to his first one. In clause 2, which is the interpretation section of the bill, the public sector is defined as not including the Canadian Forces, the Canadian Security Intelligence Service or the Communications Security Establishment. There should be some kind of oversight of those.

• (1450)

We are learning, in the work of the special Senate committee that is reviewing the anti-terrorism legislation, the importance of these special agencies in terms of the defence of the country, and we recognize that sometimes special power or special authority is given in free and democratic societies. We also recognize that if we establish an oversight mechanism even for those kinds of agencies, particularly parliamentary oversight, the potential for abuse is then minimized.

The committee should delve into whether or not we can find a way to give further thought to that particular provision.

Everything is an extension of the executive and it is precisely because of the mismanagement and the abuses with which the executive has been tainted that we have the need for this legislation. Clearly, I share the view of Senator Murray that Parliament should play a role in the listing or the delisting of those Crown agencies.

Hon. Serge Joyal: Honourable senators, I listened to the honourable senator carefully, especially when he mentioned the constitutional status of the officer created in clause 39 of the bill.

Is the honourable senator satisfied that the status of the officer as defined in the bill meets all the constitutional assurances of the independence of the officer? That is a key element of his or her effectiveness in satisfying the objectives of the bill. There must be assurance to Parliament that he or she is fully protected to ensure that he or she remains independent from the executive. I see the new system functioning such that the public servant who wants to report a wrongdoing must have the strong conviction that the officer to whom he is reporting is far enough from the reach of the government to offer the required protection. Parliamentarians must be reassured that in the constitutional and institutional structure of government the officer has the capacity to perform his or her duties. I rely on the honourable senator's long interest in the public service. Is he satisfied that the bill as it is now drafted meets all those requirements?

Senator Kinsella: I thank the honourable senator for raising that important question, which he also raised with my colleague Senator Smith on Tuesday. Since that time I have been reflecting on it as well. My answer is: No, I am not sure.

The first preambular paragraph of the bill reads:

...the public service of Canada is an important national institution that is part of the essential framework of Canadian parliamentary democracy.

I hope that I am not too old fashioned. I do not subscribe to the idea that everything must remain constant, but we must be careful as we grow these offices, particularly with regard to their

relationship to Parliament. When one does a quick brush of these officers of Parliament — the Auditor General, the Privacy Commissioner, et cetera — in some instances it is the intent of the bill to give special protection to an administrative officer. It is as if Parliament is being used as a defensive mechanism, unless there indeed is meant to be an essential, substantive relationship between Parliament and that officer.

I do not know the answer to the honourable senator's question, but it is one on which the committee will have to reflect. We recognize that many of these officers have appeared on the landscape in the last 15 or 20 years. I do not think we have done much analysis, and I do not think we have a satisfactory parliamentary theory as to where they fit in.

The honourable senator's question is an excellent one, and we should do some probing to see whether we can come up with a common understanding.

Hon. David P. Smith: Honourable senators, I believe these are valid questions that can be dealt with at committee stage.

The Hon. the Speaker: I should advise honourable senators that if Senator Smith speaks to the bill now, his speech will have the effect of closing the debate.

Hon. Marcel Prud'homme: Honourable senators, I will speak. I am glad that Senator Murray has touched upon the two points I raised on October 25. I made a mistake by saying that the RCMP was not involved. It has been amended and I am satisfied. I was concerned that CSIS, the other security services and the Canadian Armed Forces are not involved.

I will not speak further on this subject, except to reiterate that I will go to the committee if there is no conflict. However, I am very concerned. Much representation has been made to some of us, perhaps because we are independent senators. I hope not. I do not want a stampede. I have already had five phone calls following my earlier intervention.

In order to keep my equilibrium, I called the Iranian embassy to tell them exactly where I stand on the issue. That may satisfy some here in this house.

Honourable senators, we should be concerned about the immense number of bureaucrats who are worried about the protection to which they should be entitled for the remainder of their careers if they become whistle-blowers.

I am not an expert. Senator Kinsella has been involved with this subject for many years. Senator Murray understands it, but I do not understand it as much as I would like.

My hope is that the committee will invite as many witnesses as possible so that senior civil servants and those at the lower levels, who sometimes see more than those at the higher levels, will feel at ease with this legislation that is so important to the government and which has been a long time in the process.

Those are my only comments for the time being, but I wanted to place them on the record. I will be listening for Senator Smith's usual wisdom, and I will follow up in committee.

Senator Smith: Honourable senators, the valid questions raised today can be studied thoroughly and in good faith, as was the case when the matter was dealt with in the other place at committee.

The Hon. the Speaker: The concluding speech of Senator Smith prompts me as the Speaker to now put the motion.

It was moved by the Honourable Senator Smith, seconded by the Honourable Senator Eggleton, that this bill be read the second time. Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Smith, bill referred to the Standing Senate Committee on National Finance.

• (1500)

TELECOMMUNICATIONS ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Claudette Tardif moved second reading of Bill C-37, to amend the Telecommunications Act.

She said: Honourable senators, I am pleased to rise today to commence the process of second reading of Bill C-37, to amend the Telecommunications Act.

The amendments being proposed to the Telecommunications Act strengthen the role of the Canadian Radio-television and Telecommunications Commission, the CRTC, under the act with respect to the regulation of telecommunications facilities for unsolicited telecommunications to prevent undue inconvenience or nuisance.

The goal of this bill is to create a smart and right regulatory environment for sensible, smart telemarketing. We want to safeguard the privacy of Canadians and their right to choose with whom they wish to communicate.

[*Translation*]

The need to make changes to the Telecommunications Act was identified by the CRTC itself and by the Canadian Telemarketing Association. The government then decided that it needed to intervene in order to resolve the problems in the current system by

[Senator Prud'homme]

introducing this bill to facilitate the establishment of a national do-not-call list. To this end, the bill proposes the creation of a legislative framework that would help solve the problem of unsolicited telemarketing by creating a national do-not-call list.

The bill will enable the Canadian Radio-television and Telecommunications Commission to do three things: first, impose fines for non-compliance; second, establish a third party administrator to operate a database; and third, set fees to recover the costs associated with maintaining the list.

Unsolicited phone calls have become an inconvenience and a nuisance for many Canadians.

[*English*]

In an Environics survey conducted in 2003 for Industry Canada, fully 97 per cent of respondents reported a negative reaction to unsolicited calls. Of those, 38 per cent said they tolerate the calls; 35 per cent reported being annoyed by them; and 24 per cent said they hated receiving them. The majority of respondents, almost 80 per cent, supported the creation of a national do-not-call list; some 66 per cent indicated they would likely sign up for a do-not-call service. This evidence is supported by yet another survey, the EKOS survey, which estimated that 61 per cent of respondents want to stop receiving telemarketing calls.

The CRTC, the federal agency responsible for regulating unsolicited telemarketing, receives thousands of complaints a year from Canadians frustrated with their inability to control unwanted calls. Last year alone, the CRTC received some 9,000 calls from dissatisfied Canadians on the subject. Under the present regulatory regime, enforcement is ineffective because it is difficult to establish proof of registration on company-specific lists and because, as the CRTC itself has recognized, telemarketers appear undeterred by the present regulations.

[*Translation*]

I would like to remind honourable senators that the CRTC imposed limitations on telemarketing in 1994. These limitations included a requirement that telemarketers maintain individual do-not-call lists. This provision, however, required consumers to enlist with each telemarketer separately, and there may be hundreds of telemarketers. The consumer has no way of knowing when his or her number may find its way onto another telemarketing list. For example, as a senator with easy access to all legislation I was not aware that, under the current provisions of the legislation, I could ask a telemarketer to strike my name off his calling list. I imagine the average consumer might not have known that either.

It is not surprising, therefore, that many consumers consider this solution unsatisfactory. I would also like to point out to honourable senators that, following public consultations, the CRTC itself found that the existing regulatory system was inadequate to allow it establish a list, impose fines for non-compliance and establish a third party administrator to operate a database. The legislation needs to be amended in order to give the CRTC the authority to create and maintain such a list.

[*English*]

Other countries have introduced regulations to protect customers from unwanted telemarketing calls. In 2003, the U.S. federal trade commission launched a national do-not-call registry. Some 62 million Americans subscribed to the registry in the first year. By the end of the second year, 92 million Americans had signed up.

Honourable senators, the bill before us is premised on the proven experience of the United States. It provides the CRTC with the necessary powers to implement and enforce a national do-not-call list. It will enable the CRTC to impose fines for non-compliance, establish a third party administrator to operate a database, and to set fees to recover the costs associated with running the list.

The CRTC has long-standing experience in managing telemarketing. It has been doing so since 1994. The CRTC also has proven experience in delegating to an administrator and engaging third parties, and it is a quasi-judicial regulator with some judicial powers.

With the proposed three amendments, both the CRTC's role and general enforcement of the Telecommunications Act would be strengthened. The amendments propose penalties of \$1,500 per offending call for individuals and \$15,000 per offending call for corporations or telemarketers who do not respect the list.

• (1510)

This bill provides the CRTC with guidance on the telemarketing activities that should be subject to a national do-not-call list. In particular, the bill provides exemptions for certain groups. These include registered charities; companies with whom the client has had an existing business relationship; survey and polling activities; political activities, such as registered political parties, nomination or leadership candidates or candidates of a political party; and newspapers.

These exemptions are similar to those identified in the United States. During committee hearings, it was agreed upon that without exemptions, certain organizations such as registered charities would lose a major part of their fundraising activities and resources. Experience in the United States has shown that with similar exemptions, unsolicited calls dropped from 30 to 6 per month for those who subscribed to the list.

[*Translation*]

Honourable senators, Canadians are expecting to be provided with a service that will easily and efficiently curb unsolicited telemarketing. To ensure this, the bill includes review mechanisms to determine whether the national list is meeting expectations.

Under this bill, the CRTC would be required to report yearly to the Minister of Industry on the operation of the national do-not-call list. The bill also provides that, after three years, a committee of the House of Commons, of the Senate or of both Houses of Parliament would be established to review the administration and operation of the national do-not-call list.

The list will be administered at no extra cost to Canadian taxpayers. If the bill is passed, it is expected that the costs will be recovered from the telemarketing sector. This means that the telemarketers will be the ones paying.

[*English*]

It is not only consumers that support the establishment of a national do-not-call list. Many telemarketers prefer a national list over the current regime. The Canadian Marketing Association believes a compulsory do-not-call service for all companies that use the telephone to market their goods and services to potential customers is the most effective means to curtail consumer annoyance with telemarketers.

Honourable senators, the Privacy Commissioner of Canada also advocates the creation of a meaningful, mandatory, national do-not-call list. In her address to the Standing Committee on Industry, Natural Resources, Science and Technology, the Privacy Commissioner of Canada, supported by nine of the provincial-territorial information and privacy commissioners, highlighted the importance of establishing a national do-not-call list to help Canadians protect their privacy.

[*Translation*]

By passing this bill, we will enable the CRTC to move quickly on this issue. It will undertake further consultations on the fees to be collected, the selection of the organization responsible for administering the list, and other matters.

Telemarketing has become increasingly widespread. There is no indication that it is just a passing fad. In addition, the inability to control a telemarketer's access to phones in our homes and businesses has become a source of frustration for a large percentage of Canadians.

[*English*]

With this bill, we provide a responsible framework for a Canadian do-not-call regime. It equips the CRTC with the necessary tools to implement and enforce a national do-not-call list. In this way, we will give Canadians an easy, effective way to curtail intrusive calls. We will take steps to protect their privacy. I urge you, honourable senators, to support this bill.

Hon. Senators: Hear, hear!

Hon. Pierrette Ringuette: May I ask a question? I appreciate the statement by the honourable senator.

[*Translation*]

However, we must not forget that the CRTC has jurisdiction solely in Canada. Most telemarketing firms, which influence consumers to some extent, are not located in Canada. Last week, I got a telephone call from India. The CRTC would have no jurisdiction over these firms. However, in New Brunswick, for example, jobs are being created by some credible telemarketing firms.

I have some concerns that jobs being created in New Brunswick might be threatened because New Brunswickers are bilingual. Ultimately, not all telemarketing being conducted in Canada originates in Canada and will not come under the CRTC's jurisdiction. That is my fear.

Senator Tardif: I want to thank Senator Ringuette for her question. In fact, on June 8, the Privacy Commissioner indicated that a number of countries shared their data. The commissioner was referring, above all, to the United States and the fact that the do-not-call lists were shared.

My information indicates that the majority of call centres receive inbound calls, meaning that individuals call to ask questions about a product or a service they already have and to obtain additional information. Most of these are inbound call centres, and not outbound call centres trying to make unsolicited sales.

On motion of Senator Tkachuk, debate adjourned.

• (1520)

DEPARTMENT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kinsella, seconded by the Honourable Senator Losier-Cool, for the second reading of Bill S-41, An Act to amend the Department of Foreign Affairs and International Trade Act (human rights reports).

Hon. Rose-Marie Losier-Cool: Honourable senators, I am rising today to follow up on the comments made by the Honourable Senator Kinsella on September 29, regarding Bill S-41.

This bill is interesting from a parliamentarian's point of view, since the government would keep the Senate informed about the progress made by Canada in implementing United Nations human rights instruments to which Canada is a signatory. The Senate would also be informed of the UN response to such progress.

[*English*]

This bill further interests me as a member of the Standing Senate Committee on Human Rights as it is quite topical, the committee being in the process of looking at Canada's compliance with such international instruments. This bill would increase government accountability in this respect.

[*Translation*]

On September 29, Senator Kinsella reminded us of two things. First, only a few officials and human rights advocates are systematically aware of the efforts deployed by Canada under international human rights instruments to which it is a signatory, and of the marks given to our country for its efforts.

[Senator Ringuette]

Second, it is critical that those who are most affected by these documents and rights, namely the public at large, can easily find out what Canada is doing in terms of compliance with the UN conventions, and also how the United Nations is judging Canada's efforts.

[*English*]

Bill S-41 would go some way toward bridging the information gap by ensuring that parliamentarians, whether in this chamber or in the other place, receive a copy of Canada's progress reports and the United Nations' responses to such reports. The bill targets only human rights instruments originating from the United Nations to which our country is a party.

The bill, however, could target other instruments designated by regulations. We may know, honourable senators, that there is already information floating out there and that Canadians are not necessarily in the dark.

[*Translation*]

Our Canadian Heritage website gives any Internet user access, free of charge, to the full text of reports that Canada submits from time to time to the United Nations on its progress in implementing six of the seven instruments covered in Bill S-41: the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and, finally, the Convention on the Rights of the Child.

However, the United Nations' responses to these reports do not accompany the reports. I therefore take this opportunity to encourage the Department of Canadian Heritage to post these responses on its website, for the benefit of all.

As far as the seventh instrument covered by Bill C-41 is concerned, namely the Universal Declaration of Human Rights of 1948, it would not appear that Canada is required to report periodically on its implementation. There are probably two reasons for that.

First, the Universal Declaration of Human Rights is not binding, transferring instead this mandate to the two international covenants; the one on civil and political rights and the one on economic, social and political rights, which followed the declaration in 1966 and on which Canada is already reporting. Second, our country already has its own Charter of Rights and Freedoms, which was enacted in 1982.

If indeed our country is not required to report to the United Nations on the Universal Declaration of Human Rights, then Bill S-41 should be amended to remove the declaration from the list. This is a point that can be clarified by the Senate committee in its consideration of the bill.

[English]

While posting information on the Internet is an effective way to reach the technically endowed and savvy, it is of little help if one does not know the information is posted or if one is unsure exactly where to find the information. That is where Bill S-41 could help by ensuring that Canadians, through their parliamentarians, are aware of their country's compliance with selected international human rights instruments.

Bill S-41 could, therefore, seem to echo some of the wisdom contained in the December 2001 report of the Standing Senate Committee on Human Rights entitled *Promises to Keep: Implementing Canada's Human Rights Obligations*. In this report, the committee suggested that Parliament has a:

...proper role in a democracy. That role cannot remain limited to passing whatever implementing legislation the executive deems necessary to fulfil a treaty commitment. Parliament should be involved in scrutinizing such treaty commitments to begin with and in helping to determine what may be required by way of implementation.

[Translation]

The bill would therefore enable parliamentarians to be better informed and, thus, to better inform their constituents. There is, however, nothing to stop them from doing more than merely reading a document.

Some may wonder whether this bill ought not to go a bit further and recommend that Canada's reports to the UN, and the UN responses to them, be not merely tabled in both Houses but also referred to the appropriate committee. Here again, the Senate committee that will examine the bill could decide on this.

[English]

During Question Period this past June 30, the Leader of the Government in the Senate indicated that the government looks favourably upon this bill, with amendments. My informal understanding is that these amendments could be minor and seek only to clarify some international instruments targeted by the bill and to subject a time frame for tabling documents.

[Translation]

Once again, decisions on the amendments proposed by the government can be made in the Senate committee examining the bill.

If the principle of Bill S-41 is accepted, it seems to me that it is not necessary to delay the committee's work any further. I therefore move that the bill be referred to the appropriate committee.

On motion of Senator Rompkey, debate adjourned.

• (1530)

[English]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY STATE OF PREPAREDNESS FOR A PANDEMIC— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Stratton, seconded by the Honourable Senator LeBreton:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report upon the state of preparedness for a pandemic on the part of the Canadian Government and in particular on measures that Canadians and Canadian businesses and organizations can take to prepare for a pandemic; and

That the Committee submit its report no later than December 8, 2005.—(Honourable Senator Rompkey, P.C.)

Hon. Marilyn Trenholme Counsell: Honourable senators, I should like to offer a few comments on Motion No. 134. I say this recognizing that the Standing Senate Committee on Social Affairs, Science and Technology has not had a chance to meet since this motion was presented and that the chair and deputy chair of the committee are not here.

I fully recognize the seriousness of the motion presented by the Honourable Senator Stratton and seconded by the Honourable Senator LeBreton. There is no doubt that their interest and concern are in the right place. However, looking at this carefully, it would seem to be totally unrealistic that these good senators would consider it possible to submit a report no later than December 8, 2005 on such an important issue.

Looking at our calendar, there are five weeks between now and December 8. This motion cannot be considered until next week, which leaves four weeks. When one considers that this committee is in the process of serious work on the mental health study, I do not think it is reasonable to expect that this committee could submit a report no later than December 8.

Also, for the record, Canada is amongst 30 or 40 countries in the world working hard on this issue right now. Here in Ottawa, there was a two-day meeting on October 24 and October 25. A follow-up meeting on this subject is scheduled in Geneva, Switzerland from November 7 to 9, with 30 or 40 countries involved. To me, this represents an unprecedented sharing of information and of working together to develop plans of action, to develop a vaccine and other anti-viral products, and put to best use our new Public Health Agency of Canada.

While the intent of this motion is absolutely sound and noteworthy, it is my personal opinion, because the committee has not met, that this is not at all possible or practicable. This is not in any way to underestimate the importance of Parliament,

the Senate or the other place discussing this at every possible opportunity, but it seems to me that it is impossible to deal with the motion in the time frame that has been suggested.

Hon. Terry Stratton (Deputy Leader of the Opposition): Would the honourable senator entertain a question or two?

Senator Trenholme Counsell: Yes.

Senator Stratton: Is Senator Trenholme Counsell aware that there is a general, unwritten rule of this chamber that we do not mention people who are absent from this chamber?

Senator Trenholme Counsell: I am sorry. I will take note of that, and thank you.

Senator Stratton: Is the honourable senator aware that the Standing Senate Committee on Social Affairs, Science and Technology did a quick study on SARS when it broke out? We are asking simply for the same thing at this time.

On motion of Senator Rompkey, debate adjourned.

STATE OF POST-SECONDARY EDUCATION

INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck calling the attention of the Senate to the state of post-secondary education in Canada.—(*Honourable Senator Callbeck*)

Hon. Catherine S. Callbeck: Honourable senators —

Hon. Fernand Robichaud (The Hon. the Acting Speaker): Honourable senators, I must advise that if Senator Callbeck speaks now, her speech will have the effect of closing debate on this inquiry.

Hon. Marcel Prud'homme: Honourable senators, I would be more than honoured to ask the honourable senator if she prefers to terminate the debate; otherwise, perhaps we would like to prolong it. I am in her hands. If she wants to speak, she would close the debate.

Senator Callbeck: Honourable senators, that is up to honourable senators. I initiated this inquiry back in November. Several senators have spoken, and I thought no one else wanted to speak, so I planned to speak today to close it.

Honourable senators, last November I introduced an inquiry into the state of post-secondary education in Canada because I believe the future prosperity of this country is absolutely dependent upon the health of our post-secondary institutions and upon the availability of affordable and accessible post-secondary education for all Canadians.

So few issues are so intrinsically tied to our future prosperity as education. When the inquiry was introduced, I raised concerns that we could do more to ensure that Canadians are provided with the opportunity to realize fully their potential and, more significantly, to realize fully the potential of this great country through the pursuit of post-secondary education.

I thank the honourable senators who participated in this debate on the inquiry: Senator Atkins, Senator Kinsella, Senator Mercer, Senator Moore and Senator Tardif.

I also thank the many others who shared with me their ideas and suggestions on how we can increase the percentage of Canadians who receive a post-secondary education. A number of honourable senators have pointed to the need for a dedicated transfer to the provinces for education. Other suggestions included the need for an increase in grants available to students; increased funding for research; assistance for student loan repayments and increased debt reduction; the creation of national standards for education; more cooperation among governments, educational institutions and the private sector; more incentives for parents to save for their children's post-secondary education; increased funding for post-secondary institutions; and a need for a national strategy to set directions and determine priorities.

All these ideas have significant value and, I believe, need to be explored further. I also believe that all honourable senators are agreed that the future of post-secondary education is critical to the future of Canada.

Of course, it is not only within these walls that the importance of this issue is recognized. Canadians are well aware that educational achievement means better jobs, higher incomes and improved standards of living. Statistics Canada has reported that the vast majority of Canadians understand and recognize the opportunities afforded by post-secondary education. More than 80 per cent of Canadian parents would like their children to pursue a post-secondary education.

• (1540)

The most recent data from Statistics Canada shows that graduates with a university degree earn on average nearly twice as much as a high school graduate. There is a very real link between education and income.

More and more, it is not only increased income but actual job availability that is becoming dependent on having a post-secondary education. There are studies that point to a future where three out of four jobs in an increasingly knowledge-based economy will require a post-secondary education. To quote former Ontario premier Bob Rae:

Around the world, the transformation of the modern economy is turning higher education into a critical issue. Where higher education was once the prerogative of an elite, it is now the clear need of the majority of the population.

Canadians themselves understand this. They understand the role of education in the new economy. They understand that their future and the future of Canada depends greatly on having an educated workforce that is ready and able to compete in today's worldwide marketplace.

[Senator Trenholme Counsell]

According to the Association of Universities and Colleges of Canada, the demand for university education is increasing at an unprecedented rate. Over the last three years, full-time enrolment has increased by more than 130,000 students, bringing the total enrolment to about 800,000 students.

These numbers need to increase even further. In 1994, the Canadian economy employed more than 2.3 million university graduates. By 2004, 10 years later, this number had increased by 45 per cent. The Association of Universities and Colleges of Canada estimate that an additional 1.5 million graduates will be needed by 2014. That is only nine years from now, and that number is over and above the number of graduates needed to replace the growing number of degree holders who will be retiring over the next decade.

Honourable senators, there is broad recognition and understanding of the vital role that education plays in the health of our economy, the well-being of our society and our future as a country. Other OECD nations are increasing their post-secondary education participation rates faster than we are in this country, so we continue to fall behind.

Right now, less than 40 per cent of our population has completed some form of post-secondary education. That number is inadequate to meet the needs of the future. It is inadequate if we are to ensure continued prosperity for this country. That number must change.

One may ask why Canadians are not attending post-secondary institutions if they understand how vital it is for their future. Two years ago, the Canadian Alliance of Student Associations made a statement on improving access to post-secondary education. The paper identified two overwhelming barriers to higher education. One was the lack of funding for post-secondary institutions, and the other was the lack of adequate financial aid to students.

University tuition has risen by 160 per cent in the last decade. Post-secondary institutions are struggling with higher operating and capital costs. The average student debt upon graduation is over \$25,000. If current trends continue, it is estimated that by the year 2020 a four-year undergraduate degree will cost in the area of \$132,000.

In this country today, access to post-secondary educational opportunities is clearly limited because of a person's financial status. There are scholarships and bursaries available to assist students, but only a small number are fortunate enough to receive the large ones to cover most of their expenses.

Unless a decisive course of action is taken, access to post-secondary education will more and more become a privilege afforded only the well-to-do. This is untenable. It is untenable for a citizen of this great country not to be able to realize his or her potential because they cannot afford the required education. It is untenable because it will compromise the future economic prosperity of the entire nation.

We must improve the level of assistance to students wishing to pursue post-secondary education. In addition, students must be able to expect that the education they receive will be of the highest quality and offered at institutions that boast the best teaching, research and facilities in order to prepare graduates for the world beyond.

In a country whose future depends on an educated and skilled workforce, we need to do much better than provide post-secondary education for less than half of the population. To quote Prime Minister Martin:

Our natural resources are finite, but talent and its potential are not. That is why we need to focus so intently on our most important renewable resources — the skills of our population, innovation, and investment....

The prerequisite for entry into the global economy of tomorrow is education — quality education that begins early in life and prepares people to thrive in a competitive world.

The Government of Canada has already taken a number of steps forward. The budget, Bill C-48, passed in this chamber in July 2005, provides \$1.5 billion to enhance access to post-secondary education and support skills training for Canadian young people.

In addition, the Canada Education Savings Act received Royal Assent last December. This legislation established the Canada Learning Bond and made substantial enhancements to the Canada Education Saving Grant, a program for low- and middle-income families.

Changes have also been made as of August 1 to the Canada Student Loans Program in recognition of the ever-increasing costs of post-secondary education. These changes lower the expected parental contribution from moderate and middle income families to dependent children. As a result, approximately 20,000 more students are now eligible for assistance under the Canada Student Loans Program.

I commend and congratulate the federal government for these and other initiatives aimed at improving the quality of post-secondary education and increasing access to it.

Canadians recognize the value and importance of post-secondary education for themselves and their families. They recognize that post-secondary graduates earn higher salaries, have the highest levels of labour force participation and the lowest levels of unemployment. Governments also recognize that our national standard of living and our competitive position in the world depends on an educated, skilled and productive workforce.

The question before us today is not whether we can afford to further invest in post-secondary education; it is whether we can afford not to.

Honourable senators, we recognize that at the heart of this issue lies a fundamental truth: Canada will be diminished if we do not look to the future and begin to educate more of our population at the post-secondary level. Financial barriers to continued education have no place in this country.

Honourable senators, this inquiry on post-secondary education has prompted significant discussion. We need to make this issue a high priority. We must involve the federal and provincial governments, educational institutions, the private sector and the public in these discussions. Accordingly, I believe that this issue of accessibility and equality must be examined in greater depth. That is why I will soon introduce a motion in this chamber to refer this matter to a Senate committee.

Working together, we must more fully identify the challenges and barriers facing Canadian young people as they enter the knowledge economy. We must also look at ways to assist our post-secondary institutions as they seek to provide a quality learning environment and experience. We must offer solutions to ensure that anyone who wishes to pursue a post-secondary education may have the opportunity to do so. The future of Canada's youth and of our nation as a whole depends on it.

The Hon. the Acting Speaker: Honourable Senator Banks, before Senator Callbeck took the floor, senators were advised that her speech would have the effect of closing the debate. This inquiry is now considered fully debated.

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, November 1, 2005, at 2 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, November 1, 2005, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION

*(indicates the status of a bill by showing the date on which each stage has been **completed**)*

(1st Session, 38th Parliament)

Thursday, October 27, 2005

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

GOVERNMENT BILLS
(SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-10	A second Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law	04/10/19	04/10/26	Legal and Constitutional Affairs	04/11/25	0 observations	04/12/02	04/12/15	25/04
S-17	An Act to implement an agreement, conventions and protocols concluded between Canada and Gabon, Ireland, Armenia, Oman and Azerbaijan for the avoidance of double taxation and the prevention of fiscal evasion	04/10/28	04/11/17	Banking, Trade and Commerce	04/11/25	0	04/12/08	05/03/23*	8/05
S-18	An Act to amend the Statistics Act	04/11/02	05/02/02	Social Affairs, Science and Technology	05/03/07	0	05/04/20	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	05/07/18		
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	05/07/18		
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					
S-40	An Act to amend the Hazardous Materials Information Review Act	05/06/09	05/06/30	Social Affairs, Science and Technology	05/09/29	0	05/10/20		

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	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	05/07/18	0 observations	05/07/19	05/07/20*	32/05
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-11	An Act to establish a procedure for the disclosure of wrongdoings in the public sector, including the protection of persons who disclose the wrongdoings	05/10/18	05/10/27	National Finance					
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

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-14	An Act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other Acts	04/12/07	04/12/13	Aboriginal Peoples	05/02/10	0	05/02/10	05/02/15*	1/05
C-15	An Act to amend the Migratory Birds Convention Act, 1994 and the Canadian Environmental Protection Act, 1999	04/12/14	05/02/02	Energy, the Environment and Natural Resources	05/05/17	0 observations	05/05/18	05/05/19*	23/05
C-18	An Act to amend the Telefilm Canada Act and another Act	04/12/13	05/02/23	Transport and Communications	05/03/22	0 observations	05/03/23	05/03/23*	14/05
C-20	An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts	04/12/13	05/02/16	Aboriginal Peoples	05/03/10	0	05/03/21	05/03/23*	9/05
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	05/07/18	0	05/07/20	05/07/20*	35/05
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	05/07/18	0	05/07/20	05/07/20*	34/05
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-25	An Act governing the operation of remote sensing space systems	05/10/18							
C-26	An Act to establish the Canada Border Services Agency	05/06/14	05/06/29	National Security and Defence					
C-28	An Act to amend the Food and Drugs Act	05/10/19							
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

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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-37	An Act to amend the Telecommunications Act	05/10/25							
C-38	An Act respecting certain aspects of legal capacity for marriage for civil purposes	05/06/29	05/07/06	Legal and Constitutional Affairs	05/07/18	0	05/07/19	05/07/20*	33/05
C-39	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to enact An Act respecting the provision of funding for diagnostic and medical equipment	05/02/22	05/03/08	Social Affairs, Science and Technology	05/03/10	0	05/03/22	05/03/23*	11/05
C-40	An Act to amend the Canada Grain Act and the Canada Transportation Act	05/05/12	05/05/16	Agriculture and Forestry	05/05/18	0	05/05/19	05/05/19*	24/05
C-41	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 4, 2004-2005</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	12/05
C-42	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2006 (<i>Appropriation Act No. 1, 2005-2006</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	13/05
C-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	05/07/06	National Finance	05/07/18	0 observations	05/07/20	05/07/20*	36/05
C-49	An Act to amend the Criminal Code (trafficking in persons)	05/10/18							
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 st	2 nd	Committee	Report	Amend	3 rd	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

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Citizenship Act (Sen. Kinsella)	04/10/06	04/10/20	Social Affairs, Science and Technology	04/10/28	0	04/11/02	05/05/05*	17/05
S-3	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/10/06	04/10/07	Official Languages	04/10/21	0	04/10/26		
S-4	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	04/10/06	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-5	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	04/10/07	04/10/26	Transport and Communications (withdrawn) 04/10/28 Legal and Constitutional Affairs					
S-6	An Act to amend the Canada Transportation Act (running rights for carriage of grain) (Sen. Banks)	04/10/07							
S-7	An Act to amend the Supreme Court Act (references by Governor in Council) (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-8	An Act to amend the Judges Act (Sen. Cools)	04/10/07	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		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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					
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	Dropped from Order Paper pursuant to Rule 27(3) 05/10/18						
S-23	An Act to amend the Royal Canadian Mounted Police Act (modernization of employment and labour relations) (Sen. Nolin)	05/02/01		Subject matter 05/07/18 Legal and Constitutional Affairs					
S-24	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	05/02/03	05/03/10	Legal and Constitutional Affairs					
S-26	An Act to provide for a national cancer strategy (Sen. Forrestall)	05/02/16	05/06/01	Social Affairs, Science and Technology					
S-28	An Act to amend the Bankruptcy and Insolvency Act (student loan) (Sen. Moore)	05/03/23	05/06/01	Banking, Trade and Commerce					
S-29	An Act respecting a National Blood Donor Week (Sen. Mercer)	05/05/05	05/06/01	Social Affairs, Science and Technology					
S-30	An Act to amend the Bankruptcy and Insolvency Act (RRSP and RESP) (Sen. Biron)	05/05/10							
S-32	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	05/05/12							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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