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THE HONOURABLE ROSE-MARIE LOSIER-COOL
SPEAKER *PRO TEMPORE*

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THE SENATE

Thursday, February 15, 2007

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

Prayers.

SENATORS' STATEMENTS

RECOGNITION OF THE ROLE OF WOMEN

Hon. Nancy Ruth: Honourable senators, Valentine's Day on the Hill is unique. While a few are focused on roses and romance, it is on Valentine's Day that in Room 200 West Block, human rights are fought for and remembered. Last night it was Maher Arar and Monia Mazigh who told their story. One year ago, on February 14 and February 15, 300 women remembered their fight for their rights. We mark the twenty-fifth anniversary of the Ad Hoc women's conference that led to changes in Canada's Constitution. Those changes strengthened equality rights for women in section 15 and section 28 of the Charter.

Women in Canada and around the world do not experience life the way men do. Honourable senators, I want you to hear this: Women in Canada and around the world do not experience life the way men do.

Women's experiences are not random events that fall sometimes on women and sometimes on men. Things happen to women precisely, predictably and simply because they are women. These things include the intersection of race, age, disability, sexual orientation and religion; threats to physical security and violence; limits on access to basic public health care, education and justice; poverty, deepened by a lack of reproductive freedom, equal pay and child care; and limited political representation and access. These things happen to us simply because we are women.

• (1335)

This being Flag Day, I want to emphasize that we are all Canadians under one flag, created here. That flag represents what we share, the unique country we have created across a vast landscape and a diverse population.

We are Canadians under one Constitution. That Constitution recognizes our diversity, our differences. It compels us to pay attention to women and women's lives precisely because they and we are women. Doing so does not detract from our Canadian-ness. It is at the heart of what we are building.

Honourable senators, let us not talk about the flag without talking about the situation of all kinds of women in our country. Let us not do any study in this place without looking at that study through the eyes of women.

FLAG DAY

Hon. Joan Cook: Honourable senators, today we celebrate National Flag Day. I recall, on a cold, blustery day 42 years ago, trudging up the hill of the former U.S. military base to

HMCS *Cabot*, with a group of Girl Guides in tow, to watch the unfolding of such a historic moment in our history.

The red maple leaf has long been a symbol of Canada, originating long ago with Canada's Aboriginal peoples gathering maple sap from the trees every spring. Throughout the great world wars the red maple leaf displayed on badges and equipment became the dominant symbol for many of the Canadian regiments and soldiers serving overseas. It was worn in the darkest hours of battle and also in the most celebrated moments of triumph. It continues to be worn by Canadian peacekeepers and troops serving all over the world.

In 1949, with the expectation of a higher standard of living, more public services and a greater economic security in international trade, England's oldest colony, Newfoundland and Labrador, joined this maple leaf nation and became Canada's newest province.

In 1965, the red maple leaf officially adorned the new national flag of Canada. Today, it is a symbol recognized throughout the world as one of peace, diversity, tolerance and respect for human rights. It represents not only our history and the sacrifices we have endured, but also our devotion and commitment to ensure a greater Canada for our children's children.

Honourable senators, today we celebrate that symbol. I believe our rich history has produced a nation of courageous, proud and tolerant people. I am grateful to live in a united nation where we can be who we choose to be, where each person can voice their own opinion without persecution and where we can go about our daily business in relative peace.

May our flag speak to the exciting challenges and opportunities for a future filled with hope and promise.

BLACK HISTORY MONTH

CELEBRATIONS IN NOVA SCOTIA

Hon. Donald H. Oliver: Honourable senators, history was made this week in Nova Scotia. Her Excellency, Michaëlle Jean, the first Black Canadian to hold the position of Governor General, and Mayann E. Francis, Nova Scotia's thirty-first Lieutenant-Governor and the first Black woman to become Lieutenant-Governor, were both at the Black Cultural Centre for Nova Scotia in Halifax Tuesday evening celebrating Black History Month, and what a celebration it was.

Two Black women, head of our country and of our province: The hall was packed to the rafters and native Black Nova Scotians read original poems. Talented artists such as Jeremiah Sparks sang and performed. The Preston Mass Choirs performed, and Her Excellency gave a most powerful address on equality and diversity.

When Their Excellencies, the Right Honourable Michaëlle Jean, the Governor General of Canada, and Jean-Daniel Lafond, decided to make their first official visit to Nova Scotia, it was their intention to focus on activities that empower groups of diverse backgrounds to be heard, including women, immigrants, youth, members of the province's Black community, artists, francophones and volunteers.

In a heavy agenda, Her Excellency participated in a round-table discussion with immigrant women. His Excellency met with representatives of the francophone community and later he had a tour and luncheon meeting with representatives of the food and wine industry, as well as with students enrolled in the culinary arts program at Nova Scotia Community College. I was honoured to participate in that event as well.

• (1340)

Premier Rodney MacDonald welcomed them at Province House, where Her Excellency made a landmark address. The event marks the first time that a Governor General has ever addressed the Legislative Assembly of Nova Scotia.

Her Excellency said, among other things:

Province House itself evokes a history rich in lessons about freedom and nation building.

It was here, after all, that Joseph Howe defended himself against a trumped up libel charge after exposing government corruption.

The oratorical marathon that he performed in this building in 1835, arguing for the importance of free speech, remains legendary among journalists across this continent.

She later quoted Martin Luther King, Jr., and said, "Until all of us are free, none of us is free."

Yesterday afternoon, Her Excellency and Jean-Daniel Lafond were at the Art Gallery of Nova Scotia, where I was privileged to show them some of the artwork of famous Nova Scotia Black artists.

Honourable senators, I conclude by commenting on how history was made this week in Nova Scotia by quoting from Her Excellency, who said in Halifax:

I strongly believe that it is so much more rewarding when we work together to break down the barriers — of language and race, gender and religion, poverty and disability, geography and age.

All the cultural backgrounds Canadians are a part of have combined to build our collective wealth, history, knowledge, language and culture, making Canada the example for the world, for human rights and the rule of law. This is something all Canadians should be truly proud of.

[Translation]

DÉFI SPORTIF

2007 GAMES

Hon. Lucie Pépin: Honourable senators, the 24th annual Défi Sportif will be held from April 25 to 29 in Montreal. This event is special because it is the world's largest gathering of athletes with disabilities.

Défi Sportif was created by AlterGo, a group of organizations whose purpose is to promote sports and recreation for disabled persons. The initiative grew out of the realization that disabled persons have few opportunities to compete and excel.

Since 1984, this annual event has proven that disabilities do not necessarily get in the way of being active. During the event, athletes with five types of disabilities — hearing, intellectual, physical, mental illness and visual — can participate in their chosen sports and interact with elite athletes. In parallel with the sporting events, other activities are organized to support the social integration of persons with disabilities.

Défi Sportif is about sports, social interaction and people. Its mandate is to encourage the practice of sport and to show a dynamic image of people with a disability.

I had the opportunity to experience this dynamism and to meet a number of participants during a benefit show held in Montreal on February 6. I met a number of ambassador-athletes, also known as Champions: Mario Babin, rugby; Rodrigo Buitron-Lara, volleyball; Stéphane Chaput, cycling; Michael Dauphin, water polo; Sébastien Fortier, cycling; Sydney Fredeling, basketball; Éric Guérard, track and field; Alexandre Levert, soccer; Sarah Mailhot, track and field; Pierre Mainville, fencing; Nancy Morin, goalball; Shauna O'Brien, rhythmic gymnastics; Karine Vermette, basketball; and Simon Vézina, ball hockey.

I also met 17-year-old Mathieu Marciel from Gatineau, who plays boccia, which is a version of lawn bowling for athletes with cerebral palsy. Mathieu has been enthusiastically wheeling his way through boccia games since 2001.

Mélanie Lessard, who is from Saint-Jean-de-Matha, Quebec, is another Défi Sportif Champion. Mélanie has Marfan syndrome and won a silver medal in swimming in 2006, the first year she participated. In 2007, she hopes to achieve a personal best time and win gold. It was both touching and refreshing to hear her talk about her goals for upcoming competitions.

In April, more than 2,900 athletes from approximately 12 countries will compete for top honours in 13 sporting activities. Without a doubt, passion and energy will abound.

I would like to congratulate the organizers for creating and developing this wonderful project. I commend the sponsors and volunteers who have allowed this event to continue to grow over the years.

I invite you, honourable senators, to join me in encouraging these young Canadians, who, despite their disabilities, show exceptional perseverance in living life to the fullest.

[Senator Oliver]

• (1345)

[English]

NATIONAL FIREFIGHTERS MEMORIAL

Hon. Mira Spivak: Honourable senators, yesterday, thousands of Manitobans were joined by firefighters throughout North America to pay tribute to two Winnipeg firefighters who lost their lives in a weekend blaze. Sadly, it takes a tragedy like the one that claimed the lives of Captain Tom Nichols and Captain Harold Lessard for many Canadians to reflect on the great service our firefighters provide and the great cost to some of them and their families.

The House of Commons passed a motion in 2005 that could have led to a national memorial to fallen firefighters. A foundation is in place, but there remains no place in Ottawa that prompts Canadians to reflect on their sacrifice.

Honourable senators, my message is very simple: I would urge the government, as well as anyone else who must be involved, to work with the Canadian Fallen Firefighters Foundation towards building an appropriate memorial here in Ottawa in the near future.

SINKING OF OCEAN RANGER OFFSHORE OIL RIG

TWENTY-FIFTH ANNIVERSARY

Hon. Ethel Cochrane: Honourable senators, I rise today to mark the twenty-fifth anniversary of the worst offshore drilling accident in Canadian history.

In the early hours of February 15, 1982, the world's largest and most advanced oil rig, the Ocean Ranger, capsized and sank on the Grand Banks. All 84 crew members, the vast majority of them young men from my province, lost their lives. It is a tragedy that pierced the collective soul of Newfoundland and Labrador and a loss that we continue to remember, and reflect on, all these years later.

The profound sense of loss and grief that followed this horrible event, however, fuelled a determination to bring about positive changes and to put a spotlight on workplace safety. In the intervening years there have been investigations, a royal commission, mechanical and design changes, and tightened government regulations. Indeed, government and industry worked together to improve safety standards and practices, which continue to guide offshore petroleum exploration and development in the province today.

However, perhaps the greatest legacy has been the emphasis on workplace safety and training, especially training. Today, there are greatly enhanced standards for vocational skill and survival training for all those who work in the offshore. In the aftermath of the Ocean Ranger sinking, my province emerged as a world leader in training for disasters at sea.

The province's Minister of Natural Resources, the Honourable Kathy Dunderdale, said recently:

It is essential that we always remember what happened that day and ensure that safety is the number one consideration in the development of our offshore.

She added:

Every decision that we make with respect to the offshore is to the backdrop of the Ocean Ranger to ensure that no tragedy like this ever happens again.

I could not agree more.

To the families and friends of all those who perished that fateful day, I say that your province and country continue to share this loss with you. May there be pride and comfort in the fact that the lessons learned from that great tragedy have surely saved the lives of many others who work in the offshore.

CANADA-UNITED STATES RELATIONS

HEAD HARBOUR PASSAGE, NEW BRUNSWICK— ROUTE OF LIQUEFIED NATURAL GAS TANKERS

Hon. Michael A. Meighen: Honourable senators, over the past few months, many have seen the banner I have affixed to my Senate binder, which reads, "Supertankers in our bay — no way! Respect Canada's waters."

• (1350)

I thought that honourable senators would be as pleased as I am to note that on Wednesday our ambassador in Washington delivered a note to the Chairman of the United States Federal Energy Regulatory Commission, or FERC, as it is known. The essence of this note was to tell the chairman that notwithstanding that the commission is about to hear two and perhaps three applications for the construction of LNG facilities right on the international boundary between New Brunswick in Canada and Maine in the United States, the only access for the tankers is through a narrow, fog-bound passage that at its widest is 1,500 metres, and therefore, as Ambassador Wilson's letter indicated, "Canada will not permit LNG tankers to pass through Head Harbour Passage."

This, honourable senators, is good news for all Canadians. It is good news for New Brunswick. It is good news for the fishermen of New Brunswick, for the ecotourism industry, for the whales of the Bay of Fundy and for energy conservation.

The United States need have no fear as to whether we in Canada will be in a position to supply their market with natural gas and oil. The announcements in Saint John recently of the doubling of the oil refinery there prove ample evidence of that fact. Hopefully, FERC will take note of our formal objections and statement that we consider Head Harbour Passage to be sovereign Canadian waters and will reject these applications. If they do not, then what remains for us is to enact legislation, probably an amendment to the Shipping Act, to formally put in law our objections to this highly dangerous initiative, which the Americans would be wise to consider putting elsewhere down along their eastern coast rather than on an international boundary in very difficult, tricky waters.

Honourable senators will be happy, I know, to share this news.

ROUTINE PROCEEDINGS

STUDY ON MATTERS RELATING TO AFRICA

REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE TABLED

Hon. Hugh Segal: Honourable senators, I have the honour to table, in both official languages, the seventh report of the Standing Senate Committee on Foreign Affairs and International Trade, which deals with the development and security challenges facing Africa, the response of the international community to enhance that continent's development and political stability, and Canadian foreign policy as it relates to Africa.

On motion of Senator Segal, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

BANKING, TRADE AND COMMERCE

BUDGET AND AUTHORIZATION TO TRAVEL—REPORT OF COMMITTEE ON STUDY OF ISSUES DEALING WITH INTERPROVINCIAL BARRIERS TO TRADE PRESENTED

Hon. Jerahmiel S. Grafstein, Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, February 15, 2007

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

THIRTEENTH REPORT

Your Committee, which was authorized by the Senate on Tuesday, May 2, 2006, to examine and report on issues dealing with interprovincial barriers to trade, respectfully requests for the purpose of this study that it be empowered to adjourn from place to place and travel within Canada.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

JERAHMIEL S. GRAFSTEIN
Chair

(For text of budget, see today's Journals of the Senate, Appendix, p. 1083.)

The Hon. the Speaker pro tempore: Honourable senators, when shall this report be taken into consideration?

On motion of Senator Grafstein, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

CANADA ELECTIONS ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Donald H. Oliver, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, February 15, 2007

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

TENTH REPORT

Your Committee, to which was referred Bill C-16, An Act to amend the Canada Elections Act, has, in obedience to the Order of Reference of Thursday, November 23, 2006, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

DONALD H. OLIVER
Chair

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

On motion of Senator Oliver, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

• (1355)

ACCESS TO INFORMATION ACT

BILL TO AMEND—FIRST READING

Hon. Lorna Milne presented Bill S-223, to amend the Access to Information Act.

Bill read first time.

The Hon. the Speaker pro tempore: When shall this bill be read the second time?

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

[Translation]

KYOTO PROTOCOL IMPLEMENTATION BILL

FIRST READING

The Hon. the Speaker pro tempore informed the Senate that a message had been received from the House of Commons with Bill C-288, An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol.

Bill read first time.

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

• (1400)

[Translation]

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

[English]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE COURT CHALLENGES PROGRAM

Hon. Donald H. Oliver: Honourable senators, I give notice that at the next sitting of the Senate, I shall move:

That, notwithstanding the Order of the Senate adopted on Thursday, December 7, 2006, the Standing Senate Committee on Legal and Constitutional Affairs, which was authorized to examine and report on the benefits and results that have been achieved through the Court Challenges Program, be empowered to extend the date of presenting its final report from February 28, 2007, to June 30, 2007.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY STATE OF EARLY LEARNING AND CHILD CARE

Hon. Marilyn Trenholme Counsell: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine the state of early learning and child care in Canada in view of the OECD report, "*Starting Strong II*," released on September 21-22, 2006 and rating Canada last among 14 countries on spending on early learning and child care programs, which stated "... national and provincial policy for the early education and care of young children in Canada is still in its initial stages ... and coverage is low compared to other OECD countries;" and

That the Committee study and report on the OECD challenge that "... significant energies and funding will need to be invested in the field to create a universal system in tune with the needs of a full employment economy, with gender equity and with new understandings of how young children develop and learn."

QUESTION PERIOD

ABSENCE OF MINISTERS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I would like to announce that Senator LeBreton is still ill today and will not be here for Question Period. Senator Fortier is with Her Excellency the Governor General at present, and I do not anticipate that he will be with us for question period.

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, I believe that the honourable senators will understand why the Leader of the Government is absent but will be slightly less accommodating with regard to the minister responsible for the Montreal area, who did very well for himself during Question Period yesterday and who should give priority to his work as a parliamentarian, because we feel that role is an extremely important one.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

STUDY OF KYOTO PROTOCOL IMPLEMENTATION BILL

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, my question is for the Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources.

[English]

Can the honourable senator please tell the chamber whether the committee will address Bill C-288 at its earliest convenience?

Hon. Tommy Banks: It is the practice of our committee, as I am sure it is of others, that legislation takes precedence over other matters, such as the study of CEPA, which is mandated by the legislation.

At present, there are two other bills before our committee, so I will discuss with the committee the priority they would like to use in establishing how soon to deal with which bill and in which order.

Bill C-288 is a bill of considerable import. I suspect members on all sides will want to address their attention to the bill with some alacrity.

I do not know whether this gave rise to the honourable senator's question, but a report in a large newspaper stated as follows with respect to Bill C-288 — and "there" in the upcoming quote refers to the Senate: "There, it is expected to be passed into law after being studied briefly by the environment committee."

I wish to disabuse any members who may be under that impression, or anyone else who is within the sound of my voice who may be under that impression. We will not dispense with or

deal with that bill briefly. By definition, it is an important bill. It contains very important matters that will affect not only our country, but the standing of our country in the world.

• (1405)

Our job, as we are reminded by people who have been here for a long time, is to review legislation. That is the job of this place. When an important bill that has widespread implications comes before us, we will not review it briefly. We will review it in some detail. We will examine its implications. We will examine the legislative effectiveness of the bill. We will find out how effective it is. We will find out what teeth it has. We will find out what the downstream implications are if the bill comes into force and is acted upon. These implications are interesting and considerable. We need to know what they are in the course of our review of that legislation. We need to know the legal and constitutional obligations of the government, if any, should the Senate decide to pass this bill. Therefore, the double answer I will provide to the leader is that I think the members of the committee will agree to address that bill in short order and to address it thoroughly and patiently before we report to this house.

Hon. Gerry St. Germain: Honourable senators, I am encouraged by what I have heard from the chairman of this particular committee. I can see that Senator Banks, in everything he does in this place, takes his job seriously. I happen to be privileged to work with him on other committees, and I know how thorough he is.

I am not sure whether it is proper to ask him this question at this time but, as a committee, can he visualize studying the global aspect of this bill as opposed to zeroing in on the legislation itself? Does he see the purview of the committee extending to the various other contributors to the problem on a global scale?

Honourable senators, this issue is such an important one. As humans on this earth, we play an important role, but I do not think we are the be-all and end-all. There are many other players in this program, and I wonder whether they will come into the study of this particular legislation.

Senator Banks: I have the honour to chair a committee comprised of people who already happen to have considerable knowledge of this subject, that is to say, the global implications of the questions addressed in this bill. We have been studying those implications avidly for six years and probably for a long time before that. In the present context, we have studied this subject for a long time. The members on all sides are knowledgeable in that respect and are committed to doing the right thing. However, we will look at this legislation, what it means and what it will do.

Hon. Hugh Segal: Can I also ask Senator Banks, in whose distinguished leadership in the committee we all trust, whether he is aware of any predisposition that might exist on the part of the majority to stand in the way of substantive and thoughtful amendments that might normally be brought forward for discussion and consideration at the committee stage? Alternatively, is he of the view that the committee would be open to, and, as chairman, he would have no predisposition against, the discussion of any appropriate amendments in the clause-by-clause review that may ensue after inquiry into the other areas of examination he so thoughtfully laid out in response to his leader's question?

[Senator Banks]

Senator Banks: I have been a member of this committee since long before I had the honour of becoming its chair. It has never, to my knowledge or recollection, and certainly never under my chairmanship, made a report to this place that was not unanimous.

Hon. Grant Mitchell: Can the chair of the committee clarify that part of the purview of his committee's investigation or review of this bill would be to ascertain, perhaps by calling the Minister of the Environment or even the Prime Minister, whether that government is prepared to fulfill the law of Parliament as embodied in Bill C-288 passed by the House of Commons and presumably could be passed by this Senate, or whether they are prepared to break that law?

Senator Banks: I have to assume that no government of Canada would ever break the law.

• (1410)

Senator Mercer: Stay tuned.

Senator Banks: I assume as well that no government of Canada would ever flout the will of Parliament. I cannot answer the honourable senator's question because, as he knows well, being a member of the committee, the committee will identify the witnesses to appear before it.

LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

STATUS OF BILL C-9 ON CONDITIONAL SENTENCING

Hon. Terry M. Mercer: Honourable senators, my question is to the Chair of the Standing Senate Committee on Legal and Constitutional Affairs. I am disappointed that Senator Fortier is not present in the chamber today because I thought that he did quite well yesterday during Question Period. One day of hard questioning has driven the honourable senator out. That was pretty tough.

We have witnessed the apparent stalling of bills during Senate proceedings. The Conservatives are accusing this side of the chamber of stalling Bill S-4; at least, that is what I read in the media. Bill C-9, in respect of conditional sentencing, came to this place in November 2006. That seems quite a long time for such a major bill to remain with little or no debate. The definition of that in my dictionary is "stalling."

Can the Chair of the Legal Committee, to which this bill will be referred, tell the house of the progress, if any, of the negotiations with his leadership to begin the debate on Bill C-9 so that his committee can examine it to the extent that it deserves?

Hon. Donald H. Oliver: I thank the honourable senator for the question, but neither of the bills to which he refers is before the Legal Committee and might not come before the committee. Therefore, I am unable to respond.

Senator Mercer: It is highly unlikely that a bill dealing with conditional sentencing would not go before the Standing Senate Committee on Legal and Constitutional Affairs. Even a person like me who is not a lawyer can figure that out. I rather anticipated that answer.

The policies on conditional sentencing contained in Bill C-9 seem to be similar to the policies of our American cousins, who have mandatory minimums. While this place can debate all day on the effectiveness of those policies or on the virtues of conditional sentencing, honourable senators cannot deny the inherent problems with both. Yes, conditional sentencing has flaws, but the good things that it accomplishes cannot be ignored. Certain crimes are committed by groups defined by socio-economic status, and that cannot be ignored. Conditional sentencing has been shown to prevent many of these people from facing jail time.

Bill C-9 has not come up for debate in this chamber and, therefore, has not been referred to the Legal Committee. Could the reason be that the Conservative caucus is in disagreement over the merits of the bill? Is all not well with Canada's "growing-old" government?

Senator Oliver: I thank the honourable senator for the question, but it is not my practice to talk about what goes on in caucus.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

KYOTO PROTOCOL—EFFECT ON ECONOMY

Hon. Grant Mitchell: Honourable senators, my question is for the Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, and I apologize in advance if it puts him on the spot.

Last week, Environment Minister John Baird raised the hysteria of his anti-Kyoto bias by saying that Canada's economy would collapse like Russia's economy if the government were to fulfill its international Kyoto obligations. He simply cannot connect the dots between the environment as an opportunity and the economy.

Is the Chair of the Energy Committee aware of any evidence, analysis or reports that might back up the contention that should Canada pursue its Kyoto obligations in an appropriate manner, the Canadian economy would collapse like that of Russia's?

• (1415)

Hon. Tommy Banks: Honourable senators, I point out that Senator Fortier has joined us.

I was unaware that the economy of Russia had collapsed. I do not think it has. The Soviet economy collapsed, but the Russian economy is quite a different matter and is doing quite well.

It is also my experience, and we have heard evidence for a long time now, that good ecological and environmental practices by individuals, businesses, institutions and government always lead to profits.

Senator Mitchell: It seems to me that the honourable senator is saying he can think of or has come across no examples, no evidence in fact, that enlightened environmental policy and business-related environmental initiatives would be inclined to damage an economy or a business; quite the contrary, they actually enhance economic growth and business success.

Senator Banks: I believe I would find agreement on all sides of our committee that all of the evidence we have heard in the past several years since emissions have become an issue is to the effect that responsible ecological management at all levels of industry and society are, in the end, profitable. I could provide a long list of examples, beginning with Royal Dutch Shell, whose chairman came before us and said that the measures they had initiated to put into place better ecological practices have resulted in unanticipated profits for his corporation with six zeros on the end of them. He was very happy to explain that to us.

NATIONAL DEFENCE

COST OF RECRUITMENT ADVERTISING

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I would like to continue with the questions concerning advertising asked yesterday of the minister. Can the minister tell us the total cost of the recruitment advertising campaign for the Canadian Forces this year?

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I would like to remind senators of rule 24(1), which states:

When the Speaker calls the Question Period, a Senator may, without notice, address an oral question to:

- (a) the Leader of the Government in the Senate, if it is a question relating to public affairs,
- (b) a Senator who is a Minister of the Crown, if it is a question relating to his ministerial responsibility, or
- (c) the Chairman of a committee, if it is a question relating to the activities of that committee.

In this case, the question is for the minister, and she is not here at present.

INDUSTRY

PURCHASE OF MILITARY AIRCRAFT FROM BOEING COMPANY—REGIONAL SPINOFFS

Hon. Francis Fox: Honourable senators, my question is for the Minister of Public Works and Government Services and concerns the awarding of the contract for the C-17 aircraft about which we spoke a while ago. Could the Minister of Public Works and Government Services enlighten a number of observers and analysts in this country on the value of this contract's economic spinoffs?

The figure of \$3.4 billion in economic spinoffs has been mentioned, but then the \$1.6 billion maintenance contract was awarded to the U.S. Air Force. Rather than this contract going to Montreal or Winnipeg, it was awarded to the U.S. Air Force and the contract value has been reduced to \$1.8 billion. The engines for these aircraft will be purchased in the United States, which does not help Canada's aerospace industry. In the end, we are left with a contract worth only \$800 million.

The analysts at *Le Devoir*, Mr. Sansfaçon among them, and Quebec union leaders, including Mr. Massé, are wondering about the actual spinoffs from this contract. The government, of course, refuses to say whether there will be spinoffs for specific regions.

• (1420)

There are doubts about the real economic spinoffs for the Montreal area. Could the minister shed some light on this matter for all Canadians, because it seems that he is the only one who understands what these significant economic spinoffs are for this area, when others see them going elsewhere, especially to the United States.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I cite rule 24.1.

The Hon. the Speaker pro tempore: I believe the question was for the minister.

Senator Comeau: Honourable senators, I could also cite the Speaker's recent ruling of October 19, 2006.

Senator Fox: Point of order.

The Hon. the Speaker pro tempore: The Speaker's ruling confirms the point of order with respect to questions addressed to a minister. This time, I did hear Senator Fox put a question to the Minister of Public Works and Government Services. The minister is in the chamber and may choose to answer or not.

Senator Comeau: Honourable senators, the question was directed to the Minister for Public Works, but the question had more to do with Industry Canada. As put by the Deputy Leader of the Opposition, this is a question relating to national defence, and, as you know, these are directed to the Leader of the Government in the Senate on behalf of the departments.

Senator Fox: Your Honour, I will repeat the question. The question was directed squarely at Canada's Minister of Public Works and Government Services. He signed the contract as the minister responsible for public works and it is as such that the question was asked of him. To not answer it would be an affront to Parliament.

The Hon. the Speaker pro tempore: Honourable senators, I want to remind you of rule 24(1):

When the Speaker calls the Question Period, a Senator may, without notice, address an oral question:

(a) to the Leader of the Government in the Senate, if it is a question relating to public affairs,

(b) to a Senator who is a Minister of the Crown, if it is a question relating to his ministerial responsibility, or

(c) the Chairman of a committee...

This is what we have done until now. The Leader of the Government in the Senate is not in the chamber at the moment. The minister has the choice to respond or not.

CABINET

REQUEST FOR LIST OF MINISTERIAL RESPONSIBILITIES

Hon. Eymard G. Corbin: Honourable senators, I have a question that I would like to word as a point of order directed to the Deputy Leader of the Government in the Senate. Could he promise today to table in the Senate the list of all the ministers and a detailed description of their specific responsibilities?

The Hon. the Speaker pro tempore: Honourable senators, I am sorry, but the *Rules of the Senate* state that the question has to be directed to the Leader of the Government in the Senate and not the Deputy Leader of the Government.

PUBLIC WORKS AND GOVERNMENT SERVICES

RESPONSIBILITY OF MINISTER REGARDING SIGNED CONTRACTS

Hon. Joan Fraser: Honourable senators, my question is for the Minister of Public Works and Government Services. Could he explain to us whether or not he is responsible for the contracts he signs?

Some Hon. Senators: Hear, hear!

Hon. Michael Fortier (Minister of Public Works and Government Services): Thank you, honourable senators. As you know, not only am I responsible for signing contracts, I am very proud to do so. The contract we signed to buy those four airplanes was extraordinary and we got an extraordinary deal for taxpayers. I looked after airplane acquisition, as provided in my mandate.

Senator Bacon: Honourable senators, he has answered the question.

• (1425)

[English]

POINT OF ORDER

Hon. Gerald J. Comeau (Deputy Leader of the Government): Madam Speaker, I rise on a point of order. Many of the questions that were raised today to the chairs of committees dealt with matters that are not now before these committees. As such, the questions ought not to have been asked and ought not to have been answered.

I refer to rule 24(1), which I think some of us have already referred to today, which reads:

When the Speaker calls the Question Period, a Senator may, without notice, address an oral question to:

... (c) the Chairman of a committee, if it is a question relating to the activities of that committee.

A question posed to the Chairman of the Standing Senate Committee on Energy, the Environment, and Natural Resources regarding a bill that has not yet been referred to that committee is clearly out of order. Among other things, it anticipates a decision

of the chamber that has not yet been made. The bill might be referred to that committee, but it might be referred elsewhere. It might be referred to the Legal Committee or the Fisheries Committee, for that matter.

Many other questions were similarly out of order, as they may relate to matters presently before the committee.

I request that Her Honour review these matters and refer to today's Hansard to determine whether many of these questions are out of order. I waited until this time to intervene because I obviously could not raise a point of order until now.

Hon. Lowell Murray: Honourable senators, this question of how Question Period is conducted has been on my mind for a while. I want to put one aspect of the issue to honourable senators for their consideration.

The other day, Senator Tkachuk engaged the Honourable Leader of the Government in the Senate in a protracted exchange concerning Bill S-4. Today, there were questions by Senator Mercer to the Chairman of the Standing Senate Committee on Legal and Constitutional Affairs concerning Bill S-4 and again concerning Bill C-9.

It is, I think, the practice in most assemblies of our kind to exclude or forbid questions during the oral question period concerning matters that are already on the Order Paper and that are the subject of debate or committee consideration. I do not see a specific rule in the *Rules of the Senate of Canada* conditioning our Question Period.

I would like Her Honour to take under advisement, in view of the convention that exists elsewhere and the general provision somewhere in our rules, that where not specified, we adopt the practices and rules of the other House, whether it ought to be permitted to ask or, indeed, answer questions during our oral Question Period concerning matters already on the Order Paper.

The Hon. the Speaker *pro tempore*: Are there comments on the point of order?

Hon. Terry M. Mercer: I wish to respond to Senator Murray's intervention. The bill that passed last evening, which Her Honour reported today, was on the Order Paper in the other place for many days. If I glean correctly from watching television and reading the newspaper, there were dozens, if not hundreds, of questions posed to the Prime Minister, the current Minister of the Environment and the former Minister of the Environment about the implementation of the Kyoto agreement, which that bill dealt with specifically.

If we were to exclude an item on the Order Paper and if we want to follow what happens in the other place, then all those questions, following Senator Murray's argument, would have been out of order. Since Speaker Milliken, whose judgment I respect greatly, did not rule those questions as out of order, I contend that Senator Murray's argument is without substance.

Hon. Jeremiah S. Grafstein: To assist Her Honour in her inquiry, I listened carefully to the deputy leader and I am not sure I heard him correctly. I think he indicated that a committee can only deal with matters, according to his interpretation, of issues that are currently before the committee. Therefore, I assume he

implied that it is premature to raise questions before a matter is referred to committee.

However, that is not what the rule says. I refer the honourable senator and the Her Honour to the rule and I have a suggestion to make.

• (1430)

Rule 24(1) reads as follows:

When the Speaker calls the Question Period, a Senator may . . . address an oral question to:

(c) the Chairman of a committee, if it is a question relating to the activities of that committee.

It is not necessarily limited to a matter.

In presenting your ruling, Her Honour might examine carefully the terms of reference of the committee in question, to determine whether the application of the terms of reference — for instance, my committee has general terms of reference to deal with matters relating to the economy. If members chose to raise a question that we were considering, or about to consider, I would be open to respond to that, because that is one of our terms of reference.

I would hope that Your Honour would look at the terms of reference outstanding by the committee in question, to determine whether these questions were within the ambit of those general terms of reference.

[Translation]

Hon. Fernand Robichaud: Honourable senators, I think it would be difficult for the Speaker to know about everything that goes on in committee. Committee chairs and ministers are responsible for answering questions concerning matters currently under review in their committees. With respect to ministers, the issue is whether or not the question relates to their responsibilities. In determining that, we could settle the issue right away.

It would be very difficult for the Speaker, who does not really know what a committee is studying, to answer a question that the committee is not studying. That could lead to endless debates.

[English]

Hon. Terry Stratton: Honourable senators, the simple answer to the question put forward by Senator Robichaud would be to ask the chair of that committee whether the issue was under study by his committee. It is straightforward. You would put that behind you quickly.

As to Senator Mercer's statement, what is done in the House is done in the House. What is done here is done here.

Hon. Joan Fraser: Honourable senators, some important points were made by both Senators Grafstein and Robichaud. I would observe that the rule says that a question to the chairman of a committee can be a question "relating to the activities of that committee." Activities of a committee normally include planning. It is well-known to us all that the committees often have a fairly good notion of what will or may be coming to them in a given session. Committees do engage in the activity of planning their time.

As Senator Robichaud said, it is really up to the chair of the committee, in a given case, to say whether the committee has or has not considered something or whether the committee has or has not done anything about it, and answer the question in the specific case. I do not think it is out of order to put such questions to chairs of committees.

Hon. Anne C. Cools: Honourable senators, I want to raise the essential point that I raise time and time again, which is this: It is not the role of the Speaker of the Senate to regulate or to superintend every single utterance that comes out of every single senator's mouth.

Senator Mercer: That would be a big job.

Senator Cools: Yes, it would be a big job. However, I was not measuring the magnitude of the task; I was measuring the righteousness of it, the *raison d'être*.

I continue to caution here, again and again, that we should not use points of order as a way of getting Speakers to make rulings that, in two days or two weeks or three weeks or three months, become yet another rule, which only continues to fetter free debate. Perhaps some of the senators' questions were a little limited; perhaps some of the questions were not as intelligent as they should be; perhaps some of them are a bit mischievous. Nevertheless, there is a long gap between mischievous or uninformed questions and being out of order.

Your Honour, I would like to appeal to you as well to exercise some restraint. The notion is here that we senators are supposed to regulate our proceedings ourselves. Therefore, there is room in this system here in this house, in this place, such that, if a senator asks a question — and it may not be the best question in the world — perhaps by a bit of debate back and forth, we would regulate that and deal with it, rather than put that individual senator or those individual senators in the position of being ruled upon.

I would ask Her Honour to bear that in mind. The role of the Senate Speaker is not that of the Speaker of the House of Commons. The Senate Speaker does not have the same role in our proceedings.

I should like to raise another point on the matter; it relates to the business of asking questions to chairmen of committees. I heard no question today that was out of order. I heard questions that some might like to think were out of order or that some might like to be able to persuade Her Honour are out of order, but I heard no question that was out of order. I have a feeling that if I had a chance I, too, would have got to my feet with some alacrity.

Honourable senators, I do not know if the role of chairmen of committees has changed. In my understanding, a chairman of a committee not only is involved in all the business of planning the committee's affairs but also is supposed to be the lead person in the chamber on those matters.

God knows, the leaders of this house have never allowed me the privilege of serving as a committee chairman; however, in the days when I served as a deputy chair, I can tell you that I was well informed with respect to every single subject or matter in this house that touched on what I viewed as my responsibility as

deputy chair. I covered it all, I followed it all, I read it all, and I was ready to defend and to respond.

The chairmen of committees, especially now that they are paid personnel, have a totally different role.

On that topic, honourable senators, one of these days we should have a debate in this place about how the fact of now paying those people \$10,000 a year, or whatever it is, has also changed the nature of the task.

In addition to the old role of chairman having to know everything about every bill that his or her committee will receive and being on top of it and understanding right up to and including planning the moment the committee will begin its studies — because let us not kid ourselves, honourable senators; we have seen references to committee pass here and five seconds later senators receive notices of the committee in the office. The committees were all organized well in advance of the reference being made to commit the bill to the committee.

We must understand that the committee staff frequently are obeying references that have not yet come as they prepare to receive them; otherwise, how can there be an order of reference made in the Senate at 3:30 and the chairman sitting in his chair at the committee meeting at 4:00? We were not born yesterday. If we want to start raking up all of these issues, then maybe that is a matter for another day.

• (1440)

A chairman is perfectly well qualified and should be asked more questions in respect of questions, to quote the rule, "relating to the activities of that committee." I do not think, honourable senators, that we can pretend in today's community that chairmen are well aware of the movements of every bill that they will receive, hope to receive or hope not to receive, because we must put onto the record that ministers have been known to lose many bills.

As a matter of fact, during the debate here on the Federal Accountability Act, when Bill C-2, I think it was, fell off the Order Paper, I thought the government was trying to lose it. Frankly, that is what I thought, because I could not believe that a government would let a significant, important piece of initiative fall off the Order Paper. I argued at the time it needed a motion in this place to allow it to come back into debate.

Chairmen in this place increasingly have become representatives of the government, especially if they serve for the government. As far as I am concerned, the choice of questions under this rubric, which is "chairman of a committee" if a question relates to the activity of that committee, I would say to Her Honour that there is a wide range of questions concerning the relationship to the activities of the committee that have yet to be asked in this chamber. Frankly, they should be asked.

As I said before, Your Honour, there is no point of order here. At most it could be said that there were a few ill-considered, not wisely articulated questions. There is no need for Your Honour to attempt to take over control of every single word and every single utterance being spoken in this chamber.

The Hon. the Speaker *pro tempore*: Before I recognize Senator Comeau, who will be the last speaker, are there any other comments?

Hon. Percy Downe: Yes, I have a comment.

Honourable senators, it seems to me that rule 24(1) covers the “Leader of the Government in the Senate” because we can ask any question to the Leader of the Government relating to public affairs. The Leader of the Government has additional responsibility for seniors now, which we can now question her about.

It seems to me that rule 24(1)(b) is the problem today because we have a minister of the Crown and the rule reads that we can ask questions “relating to his ministerial responsibility.”

The trouble seems to be that that minister has additional responsibilities given by the Prime Minister and cabinet, the responsibility for Montreal, and may have other responsibilities that we cannot question him on.

It seems to me we should amend rule 24(1)(b) so we can question Minister Fortier on everything he is responsible for, as we do for the Leader of the Government in the Senate. We can ask her about any public policy, including seniors. We cannot do the same for Senator Fortier.

Senator Comeau: Honourable senators, I have two or three brief points.

First, I will start off with the question that Senator Cools raised, namely, that we tend to raise points of order generously. Perhaps she is right, that we should be mindful that we do not raise points of order at the drop of a hat. I am sympathetic to that. Given that I raised the point of order today, I take some responsibility on that.

This issue of questions in Question Period has been dogging us for some time now. Today my point of order was more on the issue of questions to committee chairs. I think we need guidance on this. Senator Downe raised a question of questions to Senator Fortier, which was not the gist of my point of order today. Having said that, he might wish to refer to a ruling in October by the Speaker which addressed the question of a senator’s extra ministerial responsibilities above and beyond his role as a minister for certain departments. I think he was referring to a minister with political responsibilities for a region. I think the Speaker of the Senate ruled on that on October 18 or 19, I think it was. That is easy to find.

I wish to raise a couple of points that were mentioned by Senator Grafstein. The honourable senator referred to committees having somewhat of a standing order of activities that relate to that committee. Unlike the House of Commons, the Senate does not have a standing set of orders to study matters that refer to its title. For example, the Standing Senate Committee on Fisheries and Oceans cannot start a fisheries study on its own. The committee must seek a reference from the Senate to proceed. The rule has something to do with the budgets and all kinds of matters. The fact that the Standing Senate Committee on Energy, the Environment and Natural Resources is named the Standing Senate Committee on Energy, the Environment and Natural Resources does not, by itself — and I think I am speaking to one who has far more experience on this than I — give the committee the mandate to study Kyoto if it wishes to do so. It must seek that

mandate. At the present time, I am not certain, and the chairman would have to answer, whether the committee has the mandate to look at that issue or other issues. However, it must be referred by the Senate. The chair, I imagine, would be gracious enough at that point to say that he does not have the mandate to do certain things.

In the matter presently before us, a bill was brought to our attention only today, and the fact that the chair of the Standing Senate Committee on Energy, the Environment and Natural Resources responded to questions as to how he would handle or not handle a bill that has not yet been referred to his committee is, in my view, outside what has been, historically, the role of the Senate.

If the bill is referred to the Standing Senate Committee on Energy, the Environment and Natural Resources — and it may or may not be — then at that point I think the chair can answer questions on behalf of the committee. At this point, however, the bill only arrived in the Senate today. We must be mindful of these things. All we are looking for from Her Honour is some guidance, I imagine, as to how we handle those kinds of questions. In effect, points of order every once in a while become useful.

Hon. Roméo Antonius Dallaire: Honourable senators, I am not a lawyer and we seem to be into that sort of realm, but I would like to bring to your attention, if I may, to rule 90, “Powers of committees.” It states:

A standing committee shall be empowered to inquire into and report upon such matters as are referred to it from time to time by the Senate. . . .

Senator Comeau: That is exactly my point.

Senator Dallaire: The question is: In Question Period, during which a senator asks a question of a chair of a committee on a matter not considered to be a subject that is being brought to the attention of that committee, is the chair empowered either to answer it or to conduct a study in order to answer it?

[Translation]

The Hon. the Speaker *pro tempore*: Honourable senators, thank you for your comments. I have heard a number of interesting submissions that I will have to consider carefully with our advisers. I will make a decision in the near future.

Hon. Eymard G. Corbin: Honourable senators, I would like to ask the Deputy Leader of the Government in the Senate whether, in light of his affection for this chamber and the proper conduct of debates during Question Period, if he would be kind enough to table the list of responsibilities of the Minister of Public Works, as well as the laws of Canada for which he has administrative responsibility, so that we can word our questions better and comply with the *Rules of the Senate*.

Senator Comeau: Honourable senators, I will gladly do so.

• (1450)

ORDERS OF THE DAY

NATIONAL DEFENCE ACT CRIMINAL CODE SEX OFFENDER INFORMATION REGISTRATION ACT CRIMINAL RECORDS ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Oliver, seconded by the Honourable Senator Nolin, for the third reading of Bill S-3, to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act;

And on the motion in amendment of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator P  pin, that Bill S-3 be not now read a third time but that it be amended as follows:

In clause 4,

(a) on page 14, by adding after line 24 the following:

“(1.1) If the Chief of the Defence Staff is considering making a determination, he or she shall notify the Minister before making the determination.

(1.2) The Chief of the Defence Staff may make a determination only if he or she is of the opinion that the operational reasons are of such an exigent nature as to outweigh the public interest in applying the provisions of this Act that would, but for the determination, be applicable in the circumstances.”; and

(b) on page 16,

(i) by adding after line 3 the following:

“(6) The Chief of the Defence Staff shall, every 15 days after making a determination under this section, consider whether the operational reasons continue to apply and, if they do not, shall revise the date on which the operational reasons cease to apply accordingly.

(7) Subsection (6) applies until the date that is provided in the notice under subsection (4) as the date on which the operational reasons cease to apply, unless a revision is made under subsection (6).

(8) If a revision is made under subsection (6),

(a) the Chief of the Defence Staff shall, without delay, notify the Provost Marshal of the revision;

(b) the Provost Marshal shall, without delay, notify the person who is the subject of the determination of the revision;

(c) in the case of a determination made under paragraph (1)(b) or (c), the Provost Marshal shall, without delay, notify the persons referred to in paragraph (5)(a) or (b) of the revision and of the revised date on which the suspension of the time limit or proceeding ceases to apply; and

(d) a person who registers information for the Provost Marshal shall revise the date that was registered under paragraph 8.2(7)(a) of the *Sex Offender Information Registration Act* as the date on which the suspension of the time limit, proceeding or obligation ceases to apply.”; and

(ii) by adding after line 31 the following:

“**227.171** (1) The Chief of the Defence Staff shall, within 30 days after the end of each year, submit a report to the Minister on the operation of sections 227.15 and 227.16 for that year that includes

(a) the number of determinations that were made under each of paragraphs 227.15(1)(a) to (d) and the duration of the suspension of the time limit, proceeding or obligation resulting from each determination; and

(b) the number of determinations that were made under subsection 227.16(1) and the number of persons who were exempted under subsection 227.16(4) as a result of each determination.

(2) The Minister shall cause a copy of the report to be laid before each House of Parliament on any of the first 15 days on which that House is sitting after the Minister receives the report.”.

Hon. Pierre Claude Nolin: Honourable senators, after consulting the Minister of National Defence, I am pleased to take part in this debate at third reading of Bill S-3 and I intend to be its faithful sponsor.

First of all, I fully support this bill which will bring the military justice system in line with the Criminal Code and the Sex Offender Information Registration Act, so that it conforms to Canadian legal standards. I encourage all honourable senators to vote in favour of this bill.

Before talking about the benefits of Bill S-3, I would like to deal with some concerns raised during recent meetings of the Standing Senate Committee on Legal and Constitutional Affairs, which Senator Joyal mentioned in his speech.

In light of testimonies heard by the committee, some of my colleagues may have been led to believe that the bill before us deals with the policy on and prevention of harassment and the regulatory measures adopted by the Department of National

Defence to deal with it. That is not the case. I regret that such a misunderstanding has arisen. I would like to clarify, for the benefit of honourable senators, the measures that the Department of National Defence and the Canadian Forces have taken to deal with harassment in the workplace.

One of the witnesses who appeared before the committee explained that the department's study on sexual harassment was done over a decade ago. Since then, much has been accomplished. In fairness to the department and the Canadian Forces, I would like to point out some of the progress made in this regard. Unfortunately, as in many other workplaces, the Canadian Forces are not immune to sexual harassment. No department or government agency tolerates this behaviour in the workplace.

In 2001, the Canadian Forces adopted a policy for the prevention and resolution of harassment in the workplace. This policy includes an education and awareness component that seeks to inform members of the Canadian Forces and their chiefs of the appropriate procedure for dealing with harassment complaints. The Canadian Forces also established conflict resolution centres for most bases and squadrons. The plaintiffs and the accused have the opportunity to meet and to resolve the complaints together in an appropriate, confidential and non-judgemental environment.

The Canadian Forces took other measures to improve the working conditions of all military members and to give them additional means to express their concerns. I would like to highlight three of those measures.

First, I am sure some of you will recall the major review of the military justice system, which was conducted by the Right Honourable Justice Brian Dickson in 1997. One of the major changes that resulted affected the National Investigation Service, or NIS. The NIS now has the mandate to investigate serious or sensitive offences against property, people and the department, including alleged sexual offences.

In 1998 — those who were here will remember — Part IV of the National Defence Act was introduced. It established a legislative framework for complaints reported by or about the military police. It added measures to deal with complaints about military police and incidents of interference by senior officers of the Canadian Forces.

Shortly afterward, in 1999, the Office of the Ombudsman for the Department of National Defence and the Canadian Forces was established. The ombudsman acts as a neutral and objective investigator for both civilians and military members.

Honourable senators, these initiatives, combined with the changes made to the harassment prevention policies of the Canadian Forces, are not enough in and of themselves to prevent harassment. However, they clearly indicate the determination of the Canadian Forces to deal with harassment.

I would now like to move on to Bill S-3 and address specific questions raised in committee during its consideration.

Let us first look at the purpose of the Sex Offender Information Registration Act and Bill S-3.

Honourable senators, during his testimony before the committee, one of the witnesses said, incorrectly, that the purpose of the Sex Offender Information Registration Act

was to ensure public safety and to monitor sex offenders. That is not the purpose of this bill. Let us be clear: the act, which is currently in effect is simply a tool for investigation. This legislation was not designed to constitute another form of punishment for offenders nor a way to prevent sexual offences. Its purpose is simply to set up a data bank that contains the address and other pertinent information about registered sex offenders. The police use this information to help in their investigations into new sex offences. Take the following example.

If an alleged sexual offence is reported in Cold Lake, Alberta, the local police force, which is responsible for investigating the incident, will be able to access the database quickly to determine which sex offenders live in the region where the offence was committed. If necessary, the police will be able to question those people to assist its investigation. It is important to understand that police officers cannot access the SOIRA database whenever they want. A police force can only use the database when actively investigating a sexual offence.

Honourable senators, the main goal of Bill S-3 is to ensure that people who are found guilty of sexual offences in a military court are included in the SOIRA database.

This bill is about a very specific issue: ensuring that the SOIRA information registry system can be used within the military justice system. The SOIRA system comes into effect only once an offender has been found guilty of a specific offence. I would emphasize that the requirement to report to a registration centre in accordance with this act does not constitute additional punishment and that registration will not be ordered in all cases.

Let us now move on to another part of the bill, which has also been a cause of concern for some witnesses during meetings of the Standing Senate Committee on Legal and Constitutional Affairs: the powers of the Chief of the Defence Staff. I would like to take a few minutes to clarify those powers, given the seriousness and importance of this issue.

A court can order a person to register with the SOIRA database. If Bill S-3 comes into force, courts martial will also be able to hand down such an order. Nobody in the Canadian Forces has or will have the power to exempt anyone from complying with such an order.

Under this bill, the Chief of the Defence Staff would be the only member of the Canadian Forces authorized to make two kinds of decisions that satisfy SOIRA requirements while taking into account the Canadian Forces' operational needs.

• (1500)

The first of these powers is conferred under subsection 227.15(1) and may be exercised only under certain circumstances.

Under that subsection, when the Chief of the Defence Staff determines that a person who is subject to the Code of Service Discipline is, for operational reasons, unable to: (1) apply for an exemption within the required period; (2) file an appeal, within the required period, concerning the legality of an order to comply with SOIRA, or file an appeal, within the required period, concerning a decision of the court to not grant an exemption or a

decision of the court to not grant a termination; (3) participate in a proceeding relating to an exemption order or in an appeal; or (4) comply with the obligation to report to a registration office within the required period, the time limits that apply to the exercise of these rights or the exemption from the obligation to report to a registration office will be temporarily suspended until those operational obligations have ended.

This decision may be taken only when an operational obligation exists and when, as a result of that obligation, the individual is unable to exercise one of those rights or comply with the obligation to report to a registration office.

Thus, the Chief of the Defence Staff may not exercise this power for just any reason. He or she may not take this decision simply because it would be inconvenient to comply with the SOIRA provisions.

The time limits can only be suspended when it is genuinely impossible to meet any of the conditions listed or to meet the requirement of reporting to a registration office.

We therefore do not expect this power to be exercised very often. However, without this power, certain individuals could find themselves in the unfortunate situation of having violated one legal obligation in order to comply with another, or of renouncing certain rights under the act in order to fulfill a legal obligation under the National Defence Act.

Honourable senators, the sole aim of this power is to avoid conflicting situations when an individual's legal obligation to obey a military order conflicts with the exercise of his or her rights, or exemption of his or her SOIRA obligations. Furthermore, the suspension will cease to apply once the operational needs have been met.

Senator Joyal has introduced amendments, one of which pertains to proposed subsection 227.15(1.2). I read with interest the correspondence you exchanged with the office of the Minister of National Defence, and it seems to me that our colleague's final proposal is clearer. I assume that Senator Joyal will want to speak to this.

The amendment appears on the Order Paper, and Senator Joyal has suggested a few linguistic changes, to further clarify the amendment you have before you. I read this correspondence, and I believe we should add the words Senator Joyal suggests. I will let Senator Joyal introduce the additional amendments accordingly.

I believe it is appropriate to use the expression "public interest" in this same provision. I think that we will all agree that the objective is to make the exceptions in Bill S-3 as clear as possible, since they are exceptional situations. The goal is to set them out as clearly as possible.

I would now like to address the second power conferred on the Chief of the Defence Staff under Bill S-3. The power given to him under subsection 227.16(1) is completely different and more restricted in scope than the power I just mentioned. It applies only to individuals whose names are in the database and who will be away from their residence for more than 15 days. Usually, if an

offender is away from his place of residence for more than 15 days but remains in Canada, he must give notice of his departure and return dates and where he can be found. If the offender leaves Canada, he simply has to provide his departure and return dates in the notice.

Under subsection 227.16(1), if the Chief of the Defence Staff determines that disclosing the offender's departure date or location could jeopardize national security, international relations or the security of a designated class of operations, the individual is not required to include that particular information in the notice about absence. This power does not eliminate the obligation to provide a notice about absence. It pertains only to the specific information that is to be provided in the notice. Therefore, the notice will say: "I am leaving." and refer to the power of the Chief of the Defence Staff to indicate why information is missing.

A provision was added to this bill requiring the Chief of the Defence Staff to notify the Minister of National Defence anytime he exercises one of these powers, thus covering the issue of civilian oversight and, once again, Senator Joyal has dealt with this matter in depth and we thank him for that.

Honourable senators, I see that the time allocated to me has elapsed. May I have another five minutes?

The Hon. the Speaker *pro tempore*: Honourable senators, is it agreed?

Some Hon. Senators: Agreed.

Senator Nolin: Honourable senators, Bill S-3 finally strikes a balance between the Sex Offender Information Registration Act and the needs of the Canadian Forces, as well as the rights and obligations of individuals governed by these laws.

The bill will effectively guarantee that the military justice system reflects the values and the objectives of the SOIRA while continuing to respect all Canadian legal standards.

At the same time, it provides the tools necessary to ensure that, when the legal obligations of a member of the Canadian Forces under the National Defence Act are in conflict with those set out in the Sex Offender Information Registration Act, there is a mechanism to resolve this conflict.

The government is proposing a number of mechanisms having the advantage of aptly bringing together the special nature of the military operational context and Canadian social constraints.

I believe — and I hope you will see it this way as well — that this bill is a step in the right direction. Therefore, I urge you to pass it with the amendments proposed by Senator Joyal.

Hon. Serge Joyal: Honourable senators, I would like to thank Senator Nolin for his comments, with which I concur — to use the language of the justices of the courts of appeal. I greatly appreciate the explanations and clarifications that he has brought to the debate.

I would simply like to say that, indeed, the statistics on sexual harassment go back ten years or more. If we want to maintain some semblance of control over the evolution, the elimination of sexual harassment in the military, given the problem this represents for women who work in the military in particular, then it is very important to have current statistics.

When the Minister of National Defence appeared before the committee, we asked him to ensure that those statistics are updated in order to accurately measure the constant improvements to the existing structures, which Senator Nolin described very well.

• (1510)

There is just a procedural problem at this stage that I want to share with the honourable senators and, of course, with Senator Nolin. In a letter sent to me, dated February 7, last week, the Minister of National Defence attached reformulations of the amendment that I had previously tabled. In a letter dated February 12, I responded to the minister to clarify some aspects and we came to an agreement.

At this stage I need the consent of the honourable senators to withdraw the amendments I had tabled and to table instead the reformulation proposed by the Minister of National Defence and in which the minister concurred, as Senator Nolin said.

I therefore seek the unanimous consent of the chamber to table the amendments that the Minister of National Defence himself reviewed and drafted following the changes I brought to him.

The Hon. the Speaker pro tempore: Honourable senators, do you give unanimous consent to withdraw this amendment, at the request of Senator Joyal?

Hon. Senators: Agreed.

MOTION IN AMENDMENT

Hon. Serge Joyal: Thank you, honourable senators. I move that the following amendment be substituted for the amendment we have just withdrawn. I will read it for the benefit of the *Journals of the Senate* and I will read it in the other language, if I may.

[English]

That Bill S-3 be not now read a third time but that it be amended in clause 4, by

(a) adding after line 20 on page 15 the following:

(2.1) The Chief of the Defence Staff may make a determination only if he or she is of the opinion that the operational reasons clearly outweigh in importance the public interest in applying the provisions of the Act that, but for the determination, would apply in the circumstances.

(2.2) The Chief of the Defence Staff shall notify the Minister before making a determination.

(2.3) Every 15 days after a determination is made, the Chief of the Defence Staff shall consider whether the operational reasons cease to apply.

(b) adding after line 31 on page 16 the following:

227.171 (1) The Chief of the Defence Staff shall, within 30 days after the end of each year, submit a report to the Minister on the operation of sections 227.15 and 227.16 for that year that includes

(a) the number of determinations made under each of paragraphs 227.15(a) to (d) and the duration of the suspension resulting from each determination; and

(b) the number of determinations made under subsection 227.16(1) and the number of persons exempted under subsection 227.16(4) as a result of each determination.

(2) The Minister shall cause a copy of the report to be laid before each House of Parliament on any of the first 15 days on which that House is sitting after the Minister receives the report.

Those amendments are clearly the amendments that the Minister of National Defence proposed to me, with the two additions that I have suggested the minister adds.

[Translation]

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

Some Hon. Senators: Yes.

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

Some Hon. Senators: Question!

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

Motion agreed to and bill, as amended, read third time and passed.

[English]

CONSTITUTION ACT, 1867

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator LeBreton, P.C., seconded by the Honourable Senator Comeau, for the second reading of Bill S-4, to amend the Constitution Act, 1867 (Senate tenure).

Hon. George Baker: Honourable senators, I have a few words concerning this bill with the hope that it will pass second reading and be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

As referenced by many senators in their speeches, the Supreme Court of Canada decided the question in 1980. The decision was, as all senators know, that a bill that advocates an elected Senate is outside the jurisdiction of Parliament. The minister of intergovernmental affairs for the Province of Ontario and the minister of intergovernmental affairs for the Province of Quebec, who has two PhDs on the subject and knows something about it, have both declared that the bill that is in the other place now is outside the jurisdiction of Parliament. They will challenge this piece of legislation if Parliament decides to pass it.

This piece of legislation, Bill S-4, has also partially been adjudicated by the Supreme Court of Canada. Their judgment was referenced in a speech given by another senator previous to me. He said that term limits for senators outside the age limit of 75 "might impair the functioning of the Senate in providing what Sir John A. MacDonald described as 'the sober second thought in legislation'."

Honourable senators, the key is this: Does Bill S-4 impair the Senate's function of providing sober second thought in legislation? That is a fascinating question in my opinion, having spent 28 and a half years in the House of Commons looking at this issue.

What is the standard of review for the Senate in providing sober second thought in legislation? I do not think it has ever been defined in writing. I have not been able to find it. However, the sober second thought in all of the quasi-judicial bodies in our system is quite obvious to me. These are bodies that give sober second thought on social assistance, welfare, employment insurance, old age security, the guaranteed income supplement, old age pensions or the veterans' allowance.

• (1520)

The standard of review is this: It is at your final step, your final body. If there is an error in law, then that body has a right to intervene and reject the decision of the lower body. It is just like professional review, second thought. Doctors, lawyers, accountants and nurses all have those sober second thoughts that are structured in the same way. They say deference will be shown to the first decider of fact down below, and facts shall not be interfered with unless there is a terrible error made in the facts. A decision is only overturned if there has been an error in law. We notice that element in every piece of provincial legislation for doctors, lawyers, accountants, nurses and so on. It has been adjudicated many times.

If we look at the same general structure, it is specific in nature in our courts. It is the same thing. The provincial courts or the Trial Division of the Supreme Court in each province decide the facts, and a decision can only be reviewed by the appellate court if there is an error in law, whether it is the Supreme Court of a province, the Court of Appeal or the Supreme Court of Canada. They do not hear witnesses. It must be awfully boring to be a member of the Court of Appeal of a province reading transcripts day and night, but that is the system we live under. The Supreme Court of Canada is under the same restriction. Only in exceptional circumstances is one allowed to admit new evidence, and that is always by affidavit. One cannot admit it if it was available at the time of the trial. It must be germane to the question under consideration by the Supreme Court or the Court of Appeal.

Here we have the Senate, different from all of these other bodies of so-called sober second thought because there is no written

standard of review for this place — sober second thought — in legislation. In every other body in this country that gives us sober second thought or final determination, there is a written standard of rules. Look at the laws we pass. Usually, the written standard of review appears in the acts or in the rules of court.

What does one do in the case of the Senate? I suggest, honourable senators, that perhaps we could borrow that same standard of review that we find in our society. When I take something concerning social assistance or employment insurance or old age pension to its ultimate determination before a board, there are rules that are written. Some people say, "Why not take the same standard of review as the Supreme Court of Canada? If it is good enough for the Supreme Court of Canada, surely it is good enough for the Senate of Canada." Or is it? That is the question. If we had the same rules, the same standard of review, and this legislation is outside the jurisdiction of this place to pass — in other words, if there is an error in law — then it should be rejected.

I find the most interesting sections of the Canadian Charter of Rights and Freedoms to be sections 24(1) and 24(2) because they provide the remedy for a violation of our Charter rights, no matter what it is. Section 24(1) provides for stays in proceedings or the entry of acquittals when the conscience of the community has been shocked. Section 24(2) provides for the exclusion of evidence where the administration of justice would be brought into disrepute. We have there a standard whereby we can only retry the fact.

The House of Commons are the elected members. They have decided the fact. In review, if a senator determines to their mind that the decision shocks the conscience of the community or puts the administration of justice into disrepute, I think that senator should vote against that legislation, just as the standard of review is for the Supreme Court of Canada. If we follow the standard of review as written for each of those bodies, we see it quite clearly. If there is an error in law, then, of course, that particular decision should be overturned. That is why I think we should deal with second reading and send the bill to the committee so this matter can be "examined thoroughly," in the words of Sir John A. Macdonald.

That is one reason — to determine whether there is an error in law here. The second reason is the very reason that the government accepted the amendment of Senator Joyal.

Honourable senators, as far as the institutional memory of this place is concerned and what functions this place should perform, I refer you all to an exchange last week in committee between constitutional expert Professor Hogg — who the Chair of the Standing Senate Committee on Legal and Constitutional Affairs referred to as the man quoted twice as much as anyone else by the Supreme Court of Canada — and Senator Joyal. Senator Joyal started leading him down a road. To paraphrase the great professor, he said: "I know where you are taking me. I know where you are going. It contradicts what I have said. I do not have a logical answer for it now, but sometime tonight, in the middle of the night, I will wake up and I will know."

The other reason is the legislation we passed a moment ago, and I have to congratulate the government for accepting the amendment. We talk about institutional memory. This bill modified a power given to the courts martial. In the middle of

the testimony, one of the witnesses said that as far as the registration of sexual violators is concerned, those who have been convicted, they take other things into consideration in order to perhaps delay putting them on the list. One gentleman said, and the minister also referred to it, that they take into account whether the parties were intoxicated or alcohol was involved when the sexual assault took place. I looked around the table, and I saw people's eyes open wide. Committee members jumped on that comment and said that intoxication is not a defence for sexual assault, and it has been that way for 15 years. That was the start of the amendment made by Senator Joyal and one of the reasons it was made.

We were actually amending a legislative authority given by this house nine years ago, not eight years ago, that was debated in this chamber 10 years ago, and a change to the Criminal Code that was made 15 years ago. The senators around that table were knowledgeable enough to come up with recommendations accompanying this bill that will assist the Government of Canada in redefining the bill when it goes back to the House of Commons.

Honourable senators, I hope second reading can be dealt with as soon as possible. I am the last speaker from the Legal Affairs Committee on this side. We should, as soon as possible, vote on the bill and refer it to the Standing Senate Committee on Legal and Constitutional Affairs so we can get under way.

• (1530)

Hon. Anne C. Cools: Would the honourable senator take a question?

The Hon. the Speaker *pro tempore*: Honourable Senator Cools, first I would remind the Honourable Senator Baker that he has one minute remaining.

Senator Baker: That is fine.

Senator Cools: Honourable senators, I listened to Senator Baker with great interest. His comments were evocative of Canada's ancient heritage of Common Law and Constitutional Law, which were brought to this place by section 18 of the British North America Act. The honourable senator referred to section 24 of the Constitution Act, 1867, in his quest for proper exercise of the law and in an appeal to the great Common Law notion that, if at any stage in a process these insufficiencies are discovered, they should be remedied without injury to the lower stage of the process. The contents of section 24 of the Charter of Rights and Freedoms are known to few people. For the record, I shall read that section:

24(1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.

Honourable senators, most do not realize that the words "court of competent jurisdiction" with 24(1) also include the high court of Parliament, of which the Senate is a great part.

I would ask Senator Baker the profound question not only of sober second thought but also of the high court of Parliament having the last word on questions as to composition and in

conformity with the Constitution of the land. Honourable senators must remember that the Constitution Act, 1867, the BNA Act, was supposed to be an adaptation of the British Constitution in this newly settled frontier and slightly wild land.

Senator Baker: When the honourable senator was asking her question, I was thinking about the first section in the Criminal Code in which a provision speaks to anyone who misleads or provides information that would mislead the Senate or a committee of the Senate. The usual procedure is prosecution when someone intentionally misleads the court. However, the Criminal Code first mentions the Senate, committees of the Senate and then the House of Commons committees. Thus, honourable senators, anyone who misleads Your Honour or any senator in this house can be subjected to a jail term of 10 years, according to Canada's Criminal Code.

Does that answer the honourable senator's question?

Senator Cools: Yes, thank you. Honourable senators, Senator Baker has raised important questions. The preponderance of opinion on this bill rests on the fact that there is no constitutional authority to make these changes by a simple bill. The authority is simply not there. The authority could be debated, but the surest proof that it does not exist lies in knowing that, had it existed, some other ambitious prime minister would have used it a long time ago.

Honourable senators, I shall speak to these issues at a future sitting of the Senate, and so I move the adjournment of the debate.

The Hon. the Speaker *pro tempore*: It is moved by the Honourable Senator Cools, seconded by the Honourable Senator Prud'homme, that further debate be adjourned to the next sitting of the Senate.

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

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker *pro tempore*: Honourable senators in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore*: Honourable senators opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

An Hon. Senator: The "yeas" have it.

The Hon. the Speaker *pro tempore*: I believe the "nays" have it.

And two honourable senators having risen.

The Hon. the Speaker *pro tempore*: Is there agreement on the bell?

Senator Stratton: A 30-minute bell is agreed upon.

The Hon. the Speaker *pro tempore*: Call in the senators.

• (1600)

Motion agreed to and debate adjourned on the following division:

YEAS
THE HONOURABLE SENATORS

Bacon	Harb
Banks	Hervieux-Payette
Biron	Hubley
Bryden	Joyal
Carstairs	McCoy
Chaput	Mercer
Cook	Milne
Cools	Mitchell
Corbin	Moore
Cordy	Peterson
Cowan	Phalen
Dallaire	Ringuette
Downe	Robichaud
Fraser	Tardif
Goldstein	Watt—31
Grafstein	

NAYS
THE HONOURABLE SENATORS

Champagne	Nancy Ruth
Cochrane	Nolin
Comeau	St. Germain
Keon	Stratton—9
Meighen	

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

• (1610)

FOOD AND DRUGS ACT

BILL TO AMEND—THIRD READING—
DEBATE ADJOURNED

Hon. Tommy Banks moved third reading of Bill S-205, to amend the Food and Drugs Act (clean drinking water). —(*Honourable Senator Banks*)

He said: Honourable senators, as you will recall, yesterday, the Standing Senate Committee on Energy, the Environment and Natural Resources reported this bill without amendment. It is the second time that we have reported a bill: the first was so close to being identical to this one that it is fair to say that its thrust, purpose, intent and effect are identical.

I urge that we move this bill to third reading. I wish to remind you about my cartoon version for the purpose of this bill. Senator Grafstein will be more specific, but the Food and Drugs Act is designed to ensure that purveyors of whatever we ingest in Canada are obliged to ensure that when we buy, obtain, use and ingest their product, that we will not be harmed by it, and that reasonable prudence will be observed to ensure that it will not kill us or make us sick. The act applies to cigarettes, bubble gum,

chocolate bars, Corn Flakes and every conceivable foodstuff. The only thing to which it does not apply with respect to the application of enforceable federal standards is the one thing without which we cannot live. We can live without celery, Sweet Marie bars, bubble gum and even ice cubes, but we cannot live without water, and that is the one thing that we ingest that is not subject to standard federal regulation.

That is the point and purpose of this bill, and I urge you strongly to support its passage now.

Hon. Jeremiah S. Grafstein: Honourable senators, first, I wish to thank Senator Banks for that precise analysis of the bill. I think he cut to the heart of the bill, and I want to thank the committee members for their patience and indulgence because the bill has now been referred to the committee for the second time. The committee dealt with it thoroughly, heard a copious number of witnesses, examined the bill for a second time and again has unanimously recommended it to the House without amendment.

Honourable senators, I am here once again, calling on your patience and indulgence, to give a short synopsis of a rather long and episodic history of this bill. This month, February, marks the sixth anniversary of the bill in relatively the same form. I first introduced then Bill S-18 in the Senate in February 2001 at first reading, some six years ago. The second reading was approved and referred to this same committee on April 24, 2001, and the committee reported the bill without amendment on May 10, 2001, some six years ago. At third reading it was referred to the Standing Senate Committee on Legal and Constitutional Affairs for a constitutional question, and then it died on the Order Paper.

I reintroduced it again as Bill S-42, and now it reappears, once again, as Bill S-205. This legislation has essentially been before the Senate for six years.

The bill, as the chairman of the Energy Committee pointed out, is simple. It is remedial in scope, clinical, cost-effective and simple to understand. It is to amend the Food and Drug Act by adding clean drinking water as an objective, so that the federal agency that is mandated to regulate drinking water will do so for communities with a population of more than 25.

The federal government already regulates water, as the chairman pointed out. It regulates water in bottles and it regulates ice cubes. The federal government under its other powers regulates drinking water in parks, on airplanes and on ships, so it is not a new power for the federal government to regulate drinking water.

I want to emphasize that we are the only developed country in the modern world that does not have federally mandated standards of drinking water for the country at large.

There were two objections to this bill that I will review quickly. One was the constitutional objection. Finally, after six years, we have heard from government witnesses that there is no constitutional objection to this bill. The government witnesses have opined clearly that there was no constitutional impediment to this bill. That evidence was given to the committee by the officials who came to the committee from the Department of Health and made it absolutely clear that it was not a problem. This major barrier that was put to the Senate was a false barrier, and it has now been extinguished by the government of the day.

Therefore, when we look at this question, we say to ourselves that since there is no constitutional objection, we do not have to belabour that point, we do not have to refer it to another committee and we do not have to duck the responsibility of solving this particular problem.

The second objection put forward by the government is the argument that the voluntary guidelines are already working with the provinces, and, therefore, there is no need for this bill. Under the current regime, the federal government talks with the provinces, they work through a voluntary set of standards, and, ultimately, after some time and deliberation, the federal government sets them out in a notional bill or a regulation, but standards are not mandatory or binding. The provinces can or cannot meet that particular standard. They say there is no need for a mandatory standard because the voluntary standards are working.

The good news is that since this bill was introduced and since the wake-up calls in Walkerton, Ontario; North Battleford, Saskatchewan; Charlottetown, Prince Edward Island; and, most recently, Vancouver, British Columbia, where a good chunk of the Vancouver population was on boil-water advisories, the provinces have finally started concentrating on that question and have thrown a lot of money at it. The bad news is that not much has been improved, despite a lot of money and political activity because the provinces are still not doing the job they were mandated to do under the Constitution, namely, to ensure that the health of their citizens is cared for.

I want to pay a special tribute to my colleagues who represent the Aboriginal community, Senator Adams, Senator Sibbeston and, particularly, Senator Watt, who came to me with this problem six or seven and a half years ago. Senator Watt said the problem is an egregious one in the Aboriginal communities. Most Aboriginal communities do not have good drinking water. I looked into the question then, and that opened up the whole question for me. I wish to pay particular tribute to — I do not like saying this — the godfather of this bill, Senator Watt. Without his encouragement, I do not think I would have persevered all these years.

We know there is a serious problem in the Aboriginal communities that has not been addressed. We have dealt with three governments since this bill was introduced that promised they would address the problem with the Aboriginal communities. Mr. Chrétien made that promise in a Throne Speech, and Mr. Martin also made that promise in a Throne Speech.

• (1620)

Now we have heard from Mr. Prentice, Minister of Indian Affairs and Northern Development, who made the promise as well. Money has been thrown at the problem, but when it applies in particular to the Aboriginal communities, there is still no regulatory oversight. The numbers vary because we do not have precise information, but anywhere from 150 to 500 Aboriginal communities do not have clean drinking water.

I told honourable senators some years ago the horrible story I came across when I organized a meeting in an Aboriginal community in Northern Ontario. A woman from Grassy Narrows came to our group and said, "I live in Grassy Narrows, and if I want to have a baby that is not deformed, I must leave the reservation and cleanse my womb for three years to ensure that my baby is not born deformed."

Even when I raised this outrageous and scandalous situation, I could not motivate the government of the day to address this particular problem. One of the rationales for this bill is to provide mandatory oversight for federal and provincial officials to do the job they were sworn to do, which is to provide health to each and every Canadian.

What has happened since? In the most recent study, Canada is almost at the bottom of the barrel when it comes to stewardship of our drinking water. We are twenty-sixth out of 28 countries in the developed world in terms of managing our water resources, and that includes our drinking water resources.

It is interesting to note the recent report released by Simon Fraser University under the aegis of the David Suzuki Foundation. By the way, David Suzuki and I attended high school together. In his report, *The Maple Leaf in the OECD*, Dr. Suzuki compares progress toward water sustainability. He points out something that I have been arguing about, which is now clear beyond a doubt, that even at this late stage, there is no comprehensive assessment of drinking water quality across the country. This is the reason, according to the report, on page 24:

A comprehensive assessment of Canadian water quality is not possible due to a lack of national water quality monitoring data.

Not only do we not have a regulation; we do not even have the data. However, the anecdotal evidence is overwhelming that in every region of the country — and this Senate is a Senate of the regions — we have fallen below an acceptable standard of care when it comes to drinking water.

When officials came forward — by the way, I do not criticize them, because they are doing their job and they are doing the best they can under the mandate they have — they argued that they cannot tell us the data with respect to the nature or quality of drinking water across the regions because there is no scientific or comprehensive analysis linking bad drinking water and poor health.

I was stuck with this problem. I went to an outstanding expert, Dr. David Schindler, from Alberta. Some senators might know of him. He and I worked on this problem and came up with a logarithm based on the information we had at the time. That was six years ago and the situation is now worse.

Six years ago, Dr. Schindler and I concluded that, at a minimum, the out-of-pocket cost to the health system was between \$1 billion and \$2 billion. That estimate was conservative and included only direct costs, not indirect costs, for example, if someone could not work because of a problem with poor drinking water.

Canada remains the only modern country in the developed world without legally enforceable standards for regulation. The Americans brought in standards in 1974. Despite the problem of states' rights, they went ahead. Today, if you live in the United States and you want to find out the water quality in your area, you can go to a website, enter your regional code, your 604 or 908, and find out about the most recent drinking water advisories in your region. Wayward America, and we lag behind.

Even the Auditor General has said that Canada lags behind. The evidence is not only in the report; the evidence came to the committee. It was startling to hear the Auditor General say that even the voluntary guidelines were woefully out of date and were not in force. Even the voluntary guidelines are several years out of date. We heard testimony at the committee that the guidelines are catching up; they think they are now on top. However, no one can tell us for sure whether each of the provinces are applying even the voluntary guidelines.

We finally received an advisory from the Department of Health, information for the first time. I want to thank the chairman of the committee, because he was pressing for this information, as was I, at the committee. I am not a member of the committee.

We discovered that there were thousands of boil water advisories from across the country that the Department of Health had finally put together in a list. Then we received a statement, filed by the committee, which purported that about 1,174 boil-water advisories were in place. That does not seem like a lot for Canada, but it was not a true number; it was only a number at a moment in time last December. Even that limited sample indicated that 250,000 Canadians were at risk. If you coagulate the number across the entire year, it would be 10 or 12 times that particular figure. Drinking water is a serious health problem in Canada that is not addressed by these voluntary guidelines.

Beyond a doubt, the system is not working. We now have a wake-up call by these boil-water advisories. I am sad to say that even the Sierra Legal Defence Fund is now doing a provincial ranking. British Columbia, a province we admire and one that is well represented in this chamber, which is proud of its water performance, was given a C-plus due to the high rate of boil water advisories, not only in December but throughout the year.

The other scandalous situation is in Newfoundland. In Newfoundland, a number of the outports have never had clean drinking water. In the 21st century, a number of communities in the outports of Newfoundland do not have clean drinking water. A woman who has a family of four, five or six must boil water every day to fulfil her household tasks and ensure that her children drink clean water. It is a scandal and there is no excuse for it. The money is there, but we lack the political will to address the problem.

The reason this issue is local and not national is clear. The problem does not register in the national media. We have local advisories here and there, but no one puts the numbers together. Due to the efforts of the chairman of this fine committee, we received the first figures from the Department of Health, and they were shocking. I find this strange.

We, in Canada, are worried about the world. Honourable senators will find this information in the wonderful report that we just tabled today. The first thing we do when we go to Africa is provide clean water systems. When we go to Afghanistan, the first thing we do, Senator Dallaire, is ensure that our troops have clean drinking water. We provide clean drinking water systems around the world, but we do not do it in Canada. Is that not a shock? Is that not ironic?

I will end my comments with this final irony. About two weeks ago the Food and Drugs Act issued a new advisory about a healthy diet. In the advisory, they say, as Senator Banks has said,

that eight glasses of drinking water is mandatory if you want to have a clean, healthy diet. In Canada, the Food and Drugs Act says that is what we must do, but they do not mandate it to ensure that every region of the country has clean drinking water.

I believe in the Constitution and in equality. I believe that every Canadian, wherever he or she lives, every man, woman and child, is entitled to a clean glass of water eight times a day. I believe that with this clinical bill we will provide the proper oversight and overview to ensure that each and every Canadian is entitled to his and her equal right: eight glasses of clean drinking water every day.

I urge the speedy approval of this piece of legislation.

The Hon. the Speaker *pro tempore*: Senator Dallaire would like to ask a question. Will you take questions, Senator Grafstein?

Senator Grafstein: Yes.

Hon. Roméo Antonius Dallaire: My daughter is a young civil engineer heading off to South Africa to build water and sewage systems for the Canadian International Development Agency, CIDA, for six months.

• (1630)

Bob McDonald, who does “Quirks & Quarks” on CBC, did a demonstration using a glass of water. If a glass of water is all the water in the world, he said, and you take away the water in the oceans, the North and South polar caps and the water in the air, the amount of drinkable water barely covers the bottom of the glass. What is more, Mr. McDonald said that 70 per cent of that drinkable water is in Canada. He says, “We pee in it.” The question becomes our consideration of how we are abusing our own water.

In California and Arizona, there are massive plantations, where every drop of water is being sucked out, to feed artificial surfaces like golf courses, to name but one.

What security process and future management plan do we have in place vis-à-vis Canada’s water, in regards to the massive abuse of the use of water on this continent, let alone elsewhere, let alone our own ability to keep it clean for our people?

Senator Grafstein: I did not want to go into this matter, but I will very briefly. This really touches on another bill — one that is on the Order Paper; I intend to deal with that bill, if this bill is successful, which deals with the problem the honourable senator addresses.

In Canada, the statistics are very clear. On the surface, we have the largest capacious source of clean drinking water in the world. Much of it is now polluted. The problem is not getting any better; it is getting worse.

The other problem, more intense than that, and the reason OECD and Suzuki and Simon Fraser condemn us, is the problem of sustainability. In other words, we consume much more than we return back to the system in a purified form. That is a deeper problem, and one that we must address.

I have before the Senate another bill that deals with the up-source problem — which is watersheds. In a nutshell, I am asking the federal government to map out all the watersheds, which are the sources of water in Canada, so we can at least keep track and try to provide preservation and sustainability with those watersheds. We do not do it. That is the subject matter of another bill.

This is a down-stream problem. The two are connected but not really directly involved. At the down-stream problem, we can clean this up by regulation, by additional costs. As Senator Banks pointed out, we pay for our water. The problem is that because it has been so capacious, the cost of water has been very low, and people do not notice it. The truth is that one of the fastest-growing businesses in Canada is bottled water. If you buy a bottle of Fiji or Evian water in a restaurant, it will cost you more than a glass of wine, in most cases. There is an irony to this. The drinking water in Toronto is better than most of the bottled water — because we have worked consistently on that problem in Toronto. Other cities are not as fortunate; they have not done the work.

There is a problem. It is a larger question, and I hope we will address it in a future piece of legislation on the Order Paper.

On motion of Senator Cochrane, debate adjourned.

STATE OF LITERACY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fairbairn, P.C., calling the attention of the Senate to the State of Literacy in Canada, which will give every Senator in this Chamber the opportunity to speak out on an issue in our country that is often forgotten.—(*Honourable Senator LeBreton, P.C.*)

Hon. Terry M. Mercer: Honourable senators, it is a pleasure for me to rise today to speak to this issue, the inquiry introduced by Senator Fairbairn on the state of literacy in Canada.

The preamble to this inquiry includes a very significant phrase “which will give every Senator in this Chamber the opportunity to speak out on an issue in our country that is often forgotten.” How true that is.

We often forget the many issues confronting Canadians and overlook some challenges many Canadians face. However, we cannot easily overlook this one. Literacy is a very simple thing to understand, but there is no simple solution to overcoming the boundaries many cope with when they do not have the proper literacy skills.

Honourable senators, literacy is the essential skill. Whether it is reading, writing, thinking or using social skills as the result, literacy is the gateway to a knowledgeable, practical and productive society. How, then, is it possible that Canada’s new government is slashing funding for literacy programs? How is it possible the federal government does not recognize the importance of literacy programs, even in my home province of

Nova Scotia? According to Literacy Nova Scotia, these cuts will adversely affect 6,000 Nova Scotians currently in literacy programs, as well as the 30 per cent of Nova Scotians that do not have a high school diploma.

One reason cited for these cuts and the others is that these programs were not providing any value for money spent. Can you believe it? Would my colleagues on both sides of the chamber like to visit Literacy Nova Scotia and suggest that to the many citizens who use this program?

I would submit that, instead of cutting funding, we should be increasing funding because of the absolute success of these programs in producing results. According to the Organisation for Economic Co-operation and Development, Statistics Canada in 2004, a 1 per cent growth in the average literacy and numeracy levels in Canada will yield a 1.5 per cent permanent increase in the GDP per capita. That would amount to approximately \$18 billion a year. That is a lot of money.

To my Conservative friends — literacy is just good business; it makes a lot of sense.

Many times I have spoken in this place about the connection between literacy and education with health and economic factors that influence our communities. I have always believed that literacy is the one true path to eliminating poverty.

In October 2005, I attended the launch event for the Halifax Humanities 101, a Clemente Course in the Humanities. The Clemente course, founded by Earl Shorris, seeks to break the cycle of poverty through increased literacy. All metro Halifax universities donated teaching time. Donations were received from foundations, including McCain and RBC, and from individuals, including myself. These funds were offered to support rooms, teaching supplies, food — and even daycare for those who needed it. This was done without government funding. Nevertheless, it was difficult, because many programs are in place that receive funding; there is never enough to go around.

Certainly, with these new cuts, there will not be an opportunity to secure new funding for this initiative — or any others. It will also be difficult to keep service levels the same for programs that already rely on funding. Programs that rely solely on government funding are in jeopardy or disappearing.

• (1640)

Honourable senators, poverty is not an easy thing to overcome or live in. Students in the Clemente course have gone from living in the street to teaching in schools themselves. What now? What about the thousands of Nova Scotians who rely on literacy programs to improve their lives and those of their families? What of the tens of thousands of Canadians across the country who do so as well? The consequence of these funding cuts is enormous, more so than we understand even here in this place.

I draw the attention of honourable senators to a January article in *The Globe and Mail*. It told a story of an Alberta machinist who lost his left arm below the elbow. A new machine arrived at his work. The machine appeared to operate in a similar manner as the old ones it replaced. Its operation was treated by this man as such. This accident occurred because the worker could not read the new owner’s manual.

Honourable senators, it is not hard to see how increased literacy skills lead to improved health and quality of life; even saving a life or, in this case, a limb. It is not hard to see how improved health leads to improved productivity. It is not hard to see how improved productivity leads to better and safer communities.

Despite these well-known facts, funding has been slashed for literacy programs. The first link in the chain has been broken. Moreover, as we all know the rest of the adage, a chain is only as strong as its weakest link.

Honourable senators, another point of view I would like to mention is that of the provinces. How much more burden can we place on the provincial governments to solve socio-economic problems? In the wake of these cuts to literacy and many other areas, the provinces must pick up the slack. Can they afford to? A better question is, can we afford not to pay attention and fight to have these cuts reversed?

In conclusion, honourable senators, I implore all of you to look at what is happening, not just with the cuts to literacy but with the cuts to women's, children's and volunteer programs. I implore you to ask your government why this is happening. I implore you to demand that funding for these programs be restored. You must do it for your children, your children's children and for the very communities in which you live. We in public life cannot improve the lives of the citizens we serve by unwarranted slashing of important programs, the very programs that help us prepare for a better future.

Hon. Yoine Goldstein: Honourable senators, I wish to add my voice to those who have already contributed to Senator Fairbairn's inquiry on the state of literacy in Canada. She spoke with the knowledge, passion and commitment for which she is so highly regarded in this chamber and elsewhere. Those of you who added your voices to the inquiry obviously share the same commitment and passion.

I must begin by underscoring that this inquiry was prompted by the government's deeply regrettable decision last year to cut \$17.7 million in funding from adult literacy programs across the country. That cut was contained in a billion-dollar package of cuts predominantly to social justice programs, a reflection, regrettably, of the current government's lack of interest in the welfare of the average citizen.

These cuts in funding are all the more deplorable since without literacy Canadian citizens have dramatically reduced employment prospects, difficulty in exercising their democratic rights, and are unable to contribute to the dialogues and interactions that help shape our society and our values.

However, today I want to concentrate on another element of literacy that is often neglected, mainly that of numeracy, which is a new word. It is a contraction of the words "numerical" and "literacy."

Numeracy, or "quantitative or mathematical literacy," refers to a person's ability to use and understand numbers and to perform the basic mathematical calculations that are required for life at home and at work. It includes everyday tasks like creating a household budget, determining which product offers the best

value for price, as well as more complex tasks such as developing a long-term retirement plan. It is essential if people are to understand how to choose to finance or refinance their motor vehicles, or how to choose between different types of insurance policies. In short, a mass of daily activities of the average Canadian requires numerical skills, that is, numeracy.

Human Resources and Social Development Canada calls numeracy one of the nine items or "essential skills" required for employability. In fact, the department's website lists numeracy as one of the most important skills for no less than 102 occupations in Canada, some of which we would not necessarily think of as requiring numerical skills, such as bartending, fish processing, fabric making, heavy equipment operating, painting, sawmill operating and welding. Within these fields, numeracy is essential for calculating area and volume, determining the proper ratio for a mixture or preparing cost estimates. There are many blue-collar jobs where number competence is required for safety, to understand, for example, instructions regarding the use and mixture of hazardous chemicals or, as the Honourable Senate Mercer has indicated, how to operate heavy equipment.

Over the past few decades, numeracy skills have also become more important in our personal lives because the number and complexity of the financial decisions faced by Canadians have expanded rapidly and continue to do so. The development of new products like pay day loans, reverse mortgages, consumer lines of credit, credit card transactions and charges, zero-downpayment mortgages and other complex consumer financial packages has given each of us more choice in how to manage credit, but has also increased the possibility that we may choose a product which is poorly suited to our needs. The slow decline of the value of employer pension plans has also meant that decisions about retirement savings and RRSPs are now crucial to many people's ability to retire comfortably.

Fortunately, there are Canadians who have been able to take advantage of these new products and have been able to improve their financial well-being. For those who are financially savvy, it can be relatively simple to benefit from low-cost credit, leverage investments, and find tax shelters to protect their assets. To those people, the growing diversity and complexity of Canada's financial system is an opportunity to be exploited.

At the opposite end of the spectrum, however, are people without the numeracy skills needed to identify the best values at the supermarket, let alone the differences between various credit products. Being able to determine the relative price differences between sale items can be very essential for low-income families. For example, the difference between two cans of pasta for \$2 or 40 per cent off a can that is regularly \$1.50 may be small, but it can amount to a great deal of money over time, especially for those with low income.

Even more disturbing is the fact that people without numeracy skills cannot evaluate the cost of money that is available to them through the credit system. Without these skills, many Canadians wind up paying far more for a loan than they need to. For example, they may think that they are getting a very good deal if they are charged \$50 in interest and fees on a two-week payday loan of \$300. However, on an annualized basis, that \$50 translates into an absolutely exorbitant interest rate that needlessly deprives Canadians of hard-earned income. The same can be said of

reliance on credit card borrowing or on the use of any credit product with interest that accumulates, frequently faster than a person's ability to pay it down.

Honourable senators, undoubtedly some of you are thinking that there is only so much a government can do to protect credit users, and that financial service firms should be able to offer whatever products the free market will bear. However, one of the essential conditions of an enlightened free market is that consumers must have knowledge of all of their options in order to make the best choice for them. Clearly, without numeracy skills, an informed choice cannot be made at the grocery store, at the bank or anywhere else.

A lack of numeracy skills can have further direct consequences on individuals, their families and in fact on all of Canadian society. Under the best of circumstances, such people find themselves under tremendous financial pressure, and under the worst of circumstances those people who cannot manage the credit system go into personal bankruptcy.

• (1650)

Honourable senators, last year there were 98,450 personal bankruptcies in Canada. Over 8,000 human beings suffered the shame and the disadvantages of personal bankruptcy each and every month. Although there was a very small reduction in personal bankruptcies in comparison to the year before, Statistics Canada tells us that the average ratio of debt to disposable income amongst Canadians rose during the year to reach over 123 per cent. This indicates that Canadians are taking on more debt than ever before and analysts now warn us that any significant economic slowdown would cause the bankruptcy rate to shoot up once more.

Whether or not it shoots up, the fact is that at least 8,000 Canadians each and every month are going into bankruptcy. Most of them go into bankruptcy because they cannot manipulate or control the credit system. Most of those cannot control their use of the credit system because they lack the numeracy skills to do so.

This is nothing short of a Canadian human tragedy and it repeats each and every day. In most personal bankruptcies there is a spouse or a partner. There are children in many cases. There are creditors in all cases. That means that at least half a million Canadians are directly affected and touched by personal bankruptcies of 100,000 Canadians each and every year.

Honourable senators will recall that in the fall of last year I questioned the Honourable Leader of the Government in this chamber about when a new bankruptcy and insolvency bill would be introduced. I was assured in private conversation that it would be introduced by the end of the year, and she was true to her word. However, it was attempted to be introduced as a ways and means motion and the so-called new government sought, but did not obtain, unanimous consent. Accordingly, the bill, although it is ready — I have a copy of it — has not been introduced. That bill, when adopted and promulgated, would streamline personal bankruptcies, would bring a host of needed improvements to the system and to the process, and would encourage credit counselling for those who cannot deal with the credit system.

However, the so-called new government is so new that it has not had time to introduce it, preferring instead to deal with other supposed priorities.

Ordinary Canadians, hundreds of thousands of them each and every year, are not the priority of the so-called new government. Small wonder that they deleted the word "Progressive" from the name of the party, limiting themselves to "Conservatives." We have seen that there is nothing progressive about the new government.

Senator Stratton: Oxymoron, big time.

Senator Goldstein: I have a variety of answers to that, but I prefer not to give them to my honourable friend at the moment.

Instead of the "new government," perhaps it should be called the "askew government," because its priorities are so unbalanced and so out of equilibrium.

It is worrisome, honourable senators, that the number of Canadians with numeracy challenges is so disturbingly high. At the moment, it is estimated that 40 per cent of adult Canadians have only low or basic numeracy skills. This figure, however, masks an enormous variation between age groups. For example, over 60 per cent of Canadians between the ages of 56 and 65 have basic or low numeracy, compared with fewer than 40 per cent of Canadians between the ages of 16 and 25. This means that the bulk of Canadians who need help with numeracy falls into the age group most affected by the recent and regrettable new "askew" government cuts.

Studies by Statistics Canada have found that there is a high correlation between numeracy and literacy skills, but it is useful for us to remember that these are separate skills that require distinct policies and training programs to improve.

The need for numeracy skills is likely to increase further over the years as new financial tools are created and new information technology becomes more integrated into traditional sectors of the economy such as construction, farming, forestry and others. If we do not take steps now to provide all Canadians, both young and old, with the numeracy skills required for them to make a living and to manage their finances, we are likely to see more and more Canadians lacking the resources they need to support themselves and depending more on the government to do it for them.

While I believe that the funding cut last year should be restored, I must say in all honesty that I do not believe government has the sole responsibility for ensuring that Canadians have the numeracy skills they need.

[Translation]

There are groups outside the government sector who are working to build awareness, educate Canadians, and help them improve their knowledge of financial issues. Allow me to highlight some of the existing initiatives.

First, the Canadian Foundation for Economic Education and other associations dedicated to protecting consumers make various educational resources concerning personal finances available to students and their teachers. They also offer other services, such as courses and information workshops on subjects including budgeting, credit and debt.

Second, I would like to acknowledge the Canadian Bankers Association's program, "There's Something About Money", which brings volunteer bankers trained by the association into schools to give Canadian teens 75-minute seminars on the basics of good financial management.

Finally, I would like to mention the ABC CANADA Literacy Foundation, which recognizes the importance of basic math skills in everyday life. Through its website, the foundation gives all Canadians advice and helpful math hints, such as how to calculate a tip in a restaurant, how much they pay in sales tax and how much they are saving when they buy something on sale.

[English]

However, the current programs are insufficient to help people who need better numeracy skills. The private sector, and particularly Canada's banks and financial service firms, must make a better effort to guarantee that citizens understand the products they are offered and must improve the transparency of the fees and interest rates they charge. I would like to suggest, for example, that a private sector initiative could involve the creation of a plain language seminar series to be offered at schools and community centres across the country, as well as the development of an improved practical mathematical curriculum — and I emphasize "practical" — for Canadian schools.

Numerical literacy and letter literacy go hand in hand. Enhancing one enhances the other. The current government cut in this program afflicts both letter illiterate people and number illiterate people in this country.

Honourable senators, there is an aching in the Canadian body politic that we have the ability to heal — not immediately, not alone, certainly. However, with our prescriptions, our recommended doses, the reinstatement of this askew government's literacy program financing and the cooperation of the dispensing organizations, we have the potential to cause meaningful improvements in the lives of so many Canadians. Can we afford to not try?

Hon. Joan Fraser: Would Senator Goldstein take a question?

Senator Goldstein: Certainly.

Senator Fraser: I thank the honourable senator for that interesting and thought-provoking speech. This inquiry has produced many insightful comments on the problems of literacy and numeracy. I was very impressed by the senator's focus on numeracy.

I was also struck by the fact that the honourable senator used once or twice a phrase that is often used nowadays — "Canada's new government." I put my own back-of-the-envelope numeracy skills to work, inspired by his challenge, so to speak. It seems to me that if we take the average life of a majority government, the present Government of Canada is in its teens, which may explain

why it shows such disregard for so many of the normal rules of society.

If we take the average life of a minority government, this government is in late middle age, heading rapidly to retirement. Would the honourable senator agree with me that it is time to retire the phrase "Canada's new government"?

• (1700)

Senator Goldstein: I could not have said it better, nor would I dare to try. I used the words "new government" entirely in its sarcastic connotation. It is clear that this new government is old and tired and out of touch with the people it is governing.

On motion of Senator Milne, debate adjourned.

CANADIAN NATIONAL VIMY MEMORIAL

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Dallaire, calling the attention of the Senate to the final phase of the restoration of the Canadian National Vimy Memorial, begun in 2001 under the auspices of the Canadian Battlefield Memorials Restoration Project.
—(Honourable Senator Meighen)

Hon. Michael A. Meighen: Honourable senators, I rise to speak briefly on Senator Dallaire's inquiry calling the attention of the Senate to the final phase of the restoration of the Canadian National Vimy Memorial, and to follow up a bit on my previous remarks. I am sorry Senator Joyal is not in the chamber — he was here earlier — because I know he has a strong interest in this matter and wanted to know what was going on.

I am pleased to tell all this afternoon — and honourable senators will realize that "all" is not very much. I am hoping to learn more — as I am sure all honourable senators are — in the very near future as to the plans of the Department of Veterans Affairs with respect to the commemoration of this event.

Having said that, honourable senators are aware that this major restoration effort was launched back in 2001 to address a serious deterioration of our memorial at Vimy. The final touches are under way. On February 7 — just eight days ago — members of our subcommittee on Veterans Affairs were provided with some details regarding the rededication of the refurbished memorial and the commemoration events surrounding the ninetieth anniversary of the battle that inspired its creation.

Appearing before the subcommittee was Mr. Robert Mercer, Assistant Deputy Minister of Vimy Event 2007, Veterans Affairs Canada, who informed us that activities will be taking place both in Europe and in Canada. In France, the official Canadian contingent apparently will be comprised of at least 135 people. In addition, there will also be 20 members of the RCMP — plus their horses, I hear — and over 300 members of the Canadian Forces, including a representative from each of the four regiments who counted among their ranks a winner of the Victoria Cross at Vimy. Many other veterans will be in attendance, including

[Senator Goldstein]

20 who will be government-sponsored. I was impressed to learn there will be at least as many students from across the country in attendance in 2007 as there were those who lost their lives in Vimy in 1917.

There were 3,598 Canadian casualties at Vimy and 7,104 wounded. The number of students to date, each of whom, honourable senators, has raised privately the funds necessary to travel to France, now exceeds 4,000.

Hon. Senators: Hear, hear!

Senator Meighen: There will also be thousands more from Canada and around the world who will converge atop Hill 145. Four major events will take place. On Saturday, April 7, the remains of two Canadian soldiers will be buried. These remains were located some time ago and will finally receive a respectful burial.

Second, a Freedom of the City event for the Canadian military will take place in the city of Arras, located very close to Vimy.

Third, there will be a ceremony here in Canada at the National War Memorial, as well as over 25 separate events across the country.

Finally, the dedication ceremony itself will take place on Easter Monday at the newly restored Canadian National Vimy Memorial.

[Translation]

Last week, Veterans Affairs Canada informed the Subcommittee on Veterans Affairs that interest in the Vimy event greatly exceeded the department's expectations. We have even received requests from individuals who attended the 1936 ceremony to attend the inauguration ceremony. This will be a major event.

To satisfy those who will be unable to attend one of our numerous celebrations across the country, the inauguration ceremony will be televised everywhere in Canada.

[English]

With the dedication of the restored Canadian National Vimy Memorial, an important beacon of our nationhood will shine long into the future for generations to come. I look forward to celebrating with the rest of Canadians this truly momentous event.

Hon. Roméo Antonius Dallaire: Will the honourable senator accept a question?

Senator Meighen: Certainly.

Senator Dallaire: The initiatives, as you have described, will be mainly overseas, where the memorial is, with some initiatives taking place here in Canada, as you have indicated.

The question of Vimy is one of the history of us becoming a nation, just as we are gaining an enormous reputation in Afghanistan with our colleagues, giving us political leverage

with NATO, and so on. In 1917, those troops gave us leverage to be at Versailles in 1919, to become a nation, and be recognized as such, as a signatory of the peace.

As we move on through the years, with the restoration of that site and people visiting it and so on, we are welcoming more and more new Canadians, who are trying to learn the history of Canada so that they can integrate into our Canadian society. Yet, the major effort of the commemoration of our nation in its maturing is across the pond.

As we raised at the committee, do you think it appropriate, now that we are talking about the ninetieth anniversary, that perhaps we should try to convince the government or society to look at the one hundredth anniversary, which is only 10 years down the road, to try to repatriate the memorial, by creating something of substance in this country, where people can go to visit, where they can touch something and read about it?

It is interesting that, in Confederation Square, there is an ice sculpture of Vimy that has attracted a lot of attention. Would it not be wise for us to move some yardsticks to get people thinking about recreating the monument, or something like it, in Canada for the one hundredth anniversary?

[Translation]

Senator Meighen: Senator Dallaire, I think that is an excellent suggestion. I wonder if the commemorative ceremony to be held on April 7 could be an opportunity to introduce that idea. It would be my pleasure — if I still chair the subcommittee, obviously — to submit the proposal to the members of the subcommittee.

[English]

It is certainly the most impressive war memorial that I have ever seen in my life, and I think many people share that view. I do not know whether we can recreate the atmosphere; perhaps that would be difficult to do since that was the place where Canada came of age. The memorial itself is so striking that it is something that, at least if it is here in Canada, will be seen by more Canadians and will be a constant reminder to them of our history, which is something that I do not think we have always done a good job of teaching to all Canadians, whether native-born or newly arrived. I thank you for that suggestion and I would be glad to follow up on it.

Senator Dallaire: In 1974, I was commanding the guard at Vimy. The Canadian government representative that came there was the MP from my riding. He was a fine man. At the ceremony, with all the French dignitaries, he spent about 20 minutes telling them how ineffective their troops had been in defeating the Germans and how we had magnificently done the job. He berated them in French and then took another 20 minutes in English to do exactly the same thing again. That did not really come across too well.

I am wondering, at the ninetieth anniversary, if the government will be represented not only by the Governor General, who is the Commander-in-Chief, but also by the Prime Minister, to demonstrate the significance of this ninetieth anniversary and that restoration.

• (1710)

Senator Meighen: I hope so, dear colleague, but I have not been informed of those details. I have heard rumours of the presence of the Prime Minister, of Her Majesty the Queen and of others. I gather it is difficult for both Her Majesty and the Governor General to be at the same place at the same time. That is a matter for the protocol experts to work out.

I have no doubt, given the interest that is evident in the country, as evidenced by the 4,000 students who have raised enough money to pay their own way there, and by the department's own admission that the level of interest has surpassed anything they anticipated. I think we will find that all those important people that you mentioned will do their utmost to be there. Whether or not they all make it, time will tell.

On motion of Senator Banks, debate adjourned.

[Translation]

CRISIS IN CANADIAN CULTURE

INQUIRY—DEBATE ADJOURNED

Hon. Andrée Champagne rose, pursuant to notice of February 13, 2007:

That she will call the attention of the Senate to a major crisis in Canadian culture.

She said: Honourable senators, in recent weeks, Canadian culture has seen a mounting crisis that few among us could have predicted. Our television production, an incontestable example of our distinct nature, is at risk.

One of the most important achievements of the government of the day, the Canadian Television Fund was created in 1996. Every year since then, all Canadian cable operators have been investing five per cent of their revenue, and the Canadian government contributing \$100 million.

Since 1996, \$2.3 billion has helped create some 4,500 Canadian productions in French, English and various Aboriginal languages. We have produced dramas, variety programs, programs for children and adolescents, and documentaries. Canadian television, with its varied networks from sea to sea to sea, has become one of this country's greatest treasures.

[English]

Last December, Shaw Communications announced it would stop contributing to the fund. They would stop making their monthly payments. A month later, Vidéotron, part of the Quebecor empire, followed suit. If both cable companies had been allowed to abandon their commitment, the fund would have suffered a loss of \$25 million this year and \$72 million in 2008.

How does the fund work, some of you may ask? Who really benefits from it? Why would those huge cable distributors suddenly decide to withhold the money? Had they not signed an agreement? Yes, they had, and the law is clear, but for a small detail, which I will explain later.

The fund was set up to provide money for private, independent producers; to encourage and promote quality programming and Canadian content; and to help keep our television alive and different from American productions.

[Translation]

A private producer comes up with an idea and spends a small fortune developing it into a project he or she considers viable. The producer presents the project to a television network. If the network is equally convinced that the project is likely to be a success, considering its viewers' tastes, it enters into a contract to broadcast the program or series.

Only then can the private producer present the project to the board of the Canadian Television Fund, in the hope of receiving a portion of the production funding that is needed.

[English]

Then, what are the reasons for Shaw Communications and Vidéotron's rebellion? Honourable senators, it seems that close to 35 per cent of the productions that receive funding from the Canadian Television Fund will end up on one of the CBC networks. If one is to believe Pierre Karl Péladeau, owner of TVA, he puts money into a fund that will help produce some shows that will be aired ultimately by its main competitor, Radio-Canada, and he resents it.

[Translation]

Yet figures show that Quebecor usually invests roughly \$16 million in the fund and receives some \$18 million in production funding. This is not too bad. By refusing to pay the monthly sum they had promised to contribute to what is commonly known as the "cable fund," were Vidéotron and Shaw Communications acting lawfully or unlawfully? Could the CRTC have revoked the licences of these cable distributors? These were the burning issues for over a week.

For his part, the chair of the fund, Douglas Barrett, stated that the legislation governing the fund is unclear. Lawyers are still arguing about how to interpret it. Some claim that the signatories actually had until August 31 to make their contributions. The Liberals had set up a very valuable fund, but the regulations governing it left something to be desired.

It seems that the monthly payments were part of a sort of gentleman's agreement between the partners, but that Shaw Communications and Vidéotron changed their minds. Everyone involved in television production was very concerned, especially in Quebec.

[English]

The month of March marks the deadline for presenting many projects that will become part of the programming of our television networks next fall and next January. What was to be on our small screens then was in jeopardy. Who was worried? Producers, of course, but also all those men and women that they hire: writers, directors, actors, technicians, composers, musicians and post-production experts.

On Monday of last week, Pierre Karl Péladeau announced that he would rather create his own fund than participate, be it indirectly, in a show that might be aired on one of the CBC networks.

[Translation]

In any case, all productions that TVA could not produce in-house would have been turned over to another Quebecor affiliate, Productions JPL, Jean-Paul Ladouceur's former company, which could continue to receive federal tax credits and try to go after Quebec tax credits.

However, the possible loss of funds for the Canadian Television Fund would have limited the chances of independent producers obtaining backing from broadcasters. If TVA did not like the project, too bad! Especially since monies provided to the fund would have been reduced. What did our government do in these difficult circumstances?

The Minister of Heritage said little at the outset of the crisis, but she was very involved in the matter. First, our government announced that, for the first time since the establishment of the fund, the minister was undertaking to invest the amounts promised, that is, \$100 million per year over the next two years.

Minister Bev Oda met with all the stakeholders: the CRTC, the Television Fund, the president of the Association des producteurs, Ms. Samson, representatives from Shaw Communications and Quebecor and, of course, the lawyers for all the parties involved in the dispute.

Furthermore, she even assured the independent producers that current productions would not be interrupted. On Tuesday, at the Standing Committee on Heritage, she announced that she had written to both of the rebellious cable operators, ordering them to keep their word.

Konrad Von Finckenstein, who faced this crisis as the new chairman of the CRTC, was quick to remind Quebecor and Shaw Communications that the government and the CRTC intended to take every action necessary to ensure that all parties played by the rules.

• (1720)

In the past few months, Quebecor and Shaw have asked the Canadian Television Fund to change some of its rules, but they never got enough votes for the changes to come into force. Minister Oda committed to holding new talks on the subject, but only after the two cable distributors resume making the promised contributions, which Vidéotron, at least, has said it will do.

One can just hear the industry's sigh of relief. I think we are still hearing it. That must be what was blowing the snow around in Montreal yesterday. Still, the fact is that our television industry

was in danger, as were our cultural industries. Workers in this intrinsically unstable field were asking themselves some important questions. They are all freelancers who wonder where their next paycheques will be coming from. Our government could not let two huge cable companies renege on their promises because some of the money would be going to their competitors.

Honourable senators, I hope that you will join me in offering your support and congratulations to our minister and your scorn to those who, despite their government licence, questioned their contributions to something that has had a successful impact on Canada's cultural life.

Hon. Joan Fraser: Honourable senators, I would like to congratulate Senator Champagne for drawing the Senate's attention to this crucial issue, which is the sort of thing we talk about very little here — not enough, in fact.

I have often thought that it is probably a very good thing for Canada that Senator Champagne is a member of the government caucus. I would have liked it to be our government, but one cannot have everything. I believe that she had some influence in this matter. That said, I would like to move adjournment of the debate for the remainder of my time.

On motion of Senator Fraser, debate adjourned to the next sitting of the Senate.

ADJOURNMENT

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

Hon. Gerald J. Comeau (Deputy Leader of the Government), with leave of the Senate, and notwithstanding rule 58(1)(h), moved:

That when the Senate adjourns today, it do stand adjourned until Tuesday, February 20, 2007, at 2 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, February 20, 2007, 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, 39th Parliament)

Thursday, February 15, 2007

(*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-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology	06/05/18	0	06/05/30		
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25	06/06/22	Legal and Constitutional Affairs	06/12/06	0 observations + 2 at 3rd	07/02/15		
S-4	An Act to amend the Constitution Act, 1867 (Senate tenure)	06/05/30		(subject-matter 06/06/28 Special Committee on Senate Reform)	(report on subject-matter 06/10/26)				
S-5	An Act to implement conventions and protocols concluded between Canada and Finland, Mexico and Korea for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	06/10/03	06/10/31	Banking, Trade and Commerce	06/11/09	0	06/11/23	06/12/12	8/06

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability	06/06/22	06/06/27	Legal and Constitutional Affairs	06/10/26	156 Observations + 3 at 3 rd (including 1 amend. to report) 06/11/09 Total 158	06/11/09 Message from Commons- agree with 52 amendments, disagree with 102, agree and disagree with 1, and amend 3 06/11/21 Referred to committee 06/11/23 Report adopted 06/12/07 Message from Commons- agree with Senate amendments 06/12/11	06/12/12	9/06
C-3	An Act respecting international bridges and tunnels and making a consequential amendment to another Act	06/06/22	06/10/24	Transport and Communications	06/12/12	3 observations	06/12/13	07/02/01*	1/07
C-4	An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0	06/05/09	06/05/11	1/06
C-5	An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts	06/06/20	06/09/28	Social Affairs, Science and Technology	06/11/02	0 observations	06/11/03	06/12/12	5/06
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04	06/05/09	—	—	—	06/05/10	06/05/11	2/06
C-9	An Act to amend the Criminal Code (conditional sentence of imprisonment)	06/11/06							
C-12	An Act to provide for emergency management and to amend and repeal certain Acts	06/12/11							
C-13	An Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/06/06	06/06/13	National Finance	06/06/20	0	06/06/22	06/06/22*	4/06

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-15	An Act to amend the Agricultural Marketing Programs Act	06/06/06	06/06/13	Agriculture and Forestry	06/06/15	0	06/06/20	06/06/22*	3/06
C-16	An Act to amend the Canada Elections Act	06/11/06	06/11/23	Legal and Constitutional Affairs	07/02/15	0			
C-17	An Act to amend the Judges Act and certain other Acts in relation to courts	06/11/21	06/12/11	National Finance	06/12/12	0 observations	06/12/13	06/12/14*	11/06
C-19	An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act	06/11/02	06/11/21	Legal and Constitutional Affairs	06/12/14	0 observations	06/12/14	06/12/14*	14/06
C-24	An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence	06/12/06	06/12/12	National Finance (withdrawn) 06/12/13 Foreign Affairs and International Trade	06/12/14	0 observations	06/12/14	06/12/14*	13/06
C-25	An Act to amend the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and the Income Tax Act and to make a consequential amendment to another Act	06/11/21	06/11/28	Banking, Trade and Commerce	06/12/14	0 observations	06/12/14	06/12/14*	12/06
C-26	An Act to amend the Criminal Code (criminal interest rate)	07/02/07							
C-28	A second Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/12/11	07/01/31	National Finance	07/02/13	0	07/02/14		
C-34	An Act to provide for jurisdiction over education on First Nation lands in British Columbia	06/12/06	06/12/11	Aboriginal Peoples	06/12/12	0	06/12/12	06/12/12	10/06
C-38	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.2, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	6/06
C-39	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.3, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	7/06

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-288	An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol	07/02/15							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05	06/06/22	National Finance	06/10/03	1			
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05	06/05/31	Legal and Constitutional Affairs	06/06/15	1	06/06/22		
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05	Dropped from the Order Paper pursuant to Rule 27(3) 06/06/08						
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05							
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05	06/10/31	Energy, the Environment and Natural Resources	07/02/14	0			
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05	06/10/31	Legal and Constitutional Affairs					
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	06/04/05	06/12/14	Human Rights					
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	06/04/06							
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25	06/12/14	Energy, the Environment and Natural Resources					
S-210	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	06/04/25	06/12/13	Energy, the Environment and Natural Resources					
S-211	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	06/04/25	06/05/10	Social Affairs, Science and Technology	06/06/13	0	06/10/17		
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26	06/09/26	Legal and Constitutional Affairs	06/12/06	1	06/12/07		
S-214	An Act respecting a National Blood Donor Week (Sen. Mercer)	06/05/17	06/10/03	Social Affairs, Science and Technology	06/12/14	0	06/12/14		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-215	An Act to amend the Income Tax Act in order to provide tax relief (Sen. Austin, P.C.)	06/05/17							
S-216	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	06/05/30	06/12/13	Aboriginal Peoples					
S-217	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	06/05/30	06/10/18	National Finance					
S-218	An Act to amend the State Immunity Act and the Criminal Code (civil remedies for victims of terrorism) (Sen. Tkachuk)	06/06/15	06/11/02	Legal and Constitutional Affairs					
S-219	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	06/06/27							
S-220	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	06/10/03	06/11/28	Fisheries and Oceans	06/12/11	16	06/12/14		
S-221	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	06/11/01							
S-222	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures, in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	07/02/01							
S-223	An Act to amend the Access to Information Act (Sen. Milne)	07/02/15							

PRIVATE BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-1001	An Act respecting Scouts Canada (Sen. Di Nino)	06/06/27	06/10/26	Legal and Constitutional Affairs	06/12/06	0	06/12/07		

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