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OFFICIAL REPORT  
(HANSARD)

**Tuesday, February 5, 2008**

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**THE HONOURABLE NOËL A. KINSELLA  
SPEAKER**

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

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## THE SENATE

Tuesday, February 5, 2008

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

### SENATORS' STATEMENTS

#### BLACK HISTORY MONTH

**Hon. Donald H. Oliver:** Honourable senators, I rise today to call your attention to the importance of February as Black History Month. Part of the aim of Black History Month is to underline the harmful results of racial prejudice and to cultivate Black self-esteem following centuries of socio-economic oppression. It is also an opportunity to further recognize significant contributions to society made by people of African heritage.

The month-long celebration was an expression of Negro History Week, established in 1926 by Carter G. Woodson, director of what was known then as the Association for the Study of Negro Life and History. Woodson selected the week in February that embraced the birthdays of both Frederick Douglass and Abraham Lincoln.

Each year, we take this opportunity to reflect on the significant achievements of Black Canadians — people who have made a difference in our society and have fought for equality in Canada. It is a time to reflect on Black Canadians who have championed discrimination, such as Lincoln MacCauley Alexander, the first Black Member of Parliament in the Canadian House of Commons in 1968. Later, in Ontario, Mr. Alexander became the first Black Lieutenant Governor in Canada. That was truly a landmark appointment.

It is also a time to remember Black Canadians in the field of arts and culture who have made a positive difference in our country. I think, for instance, of recently-passed brilliant jazz pianist, Oscar Peterson, who made such an impact with his musical talent and proudly represented Black Canadians on the world stage.

This year, Black History Month is of particular importance because it marks the one hundred and seventy fifth anniversary of the Act for the Abolition of Slavery in the British Empire. On August 28, 1833, the act received Royal Assent and the following year became law throughout all of the British colonies, including Canada.

This law was passed on British soil, but Canada played a pioneering role in this movement. In 1793, Governor John Graves Simcoe passed the Anti-Slavery Act. This law freed slaves over the age of 25 and made it illegal to bring slaves into Upper Canada.

However, since Canada started as a leader, I believe that we must continue in this role and work harder towards bringing equality for Black Canadians. While Canadians have accomplished so much in terms of their contribution to Canada and equality, there is still much work to be done.

Recently, as a member of the Standing Senate Committee on Human Rights, I was troubled to learn from the President of the Public Service Commission that the hiring of visible minorities in the public service has not increased. It has dropped, going from 9.8 per cent to an embarrassing 8.6 per cent of federal jobs.

Visible minorities remain the only one of the four target groups in the public service who are under-represented. They make up to 10.4 per cent of the labour force. This is disappointing news for visible minorities, particularly Black Canadians.

I still have faith that this can change. While we still waver in reaching these employment equity goals, improvements have been made. The fact that we recognize our failures brings hope that changes can be made. Education about racism and Black history is the first stepping stone in making a difference. That is why Black History Month is so important. In conclusion, honourable senators, I hope that you will all take time this month to remember the contributions of Black Canadians, present and past, but most importantly that you try to come to grips with the many painful issues that Black Canadians still continue to face and endure.

• (1405)

[*Translation*]

#### UNIVERSITY OF ALBERTA AND CAMPUS SAINT-JEAN

##### ONE HUNDREDTH ANNIVERSARY

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, I am very pleased to speak today about the one hundredth anniversary of the University of Alberta and its Campus Saint-Jean.

The year 1908 is historic because it marks the creation of one of the great institutions that would ensure the survival of the French fact in Western Canada. Founded by the Oblate fathers in 1908, Campus Saint-Jean is celebrating 100 years of history.

There has been much change over the years: it went from a “juniorate” to a classical college to a university college to a faculty and is now Campus Saint-Jean. Throughout these changes, Campus Saint-Jean has always been able to adapt and has played an important role in French education and training for francophones and francophiles. Through its work, Campus Saint-Jean has largely contributed to the development of our country’s and our society’s values. It has also touched the lives of the thousands of people who have studied, taught and worked there.

I must say that I am very proud to have been part of the development of this noble institution, which is known worldwide for its excellence in teaching and research, as well as for the great work it does for the French fact in Western Canada.

[English]

The Saint-Jean campus of the University of Alberta has a proud and rich history. Founded in 1908 in Pincher Creek, and relocated to Edmonton in 1910, Saint-Jean became the institution of choice for the education of thousands of young men and women over the years. Saint-Jean's destiny became intertwined with that of the University of Alberta in the 1970s, when the University of Alberta, with the help of the federal government, purchased the Collège Saint-Jean from the Oblate Fathers. It is significant that both institutions were founded in 1908 by visionaries whose dreams became reality, and that in this centennial year, we celebrate the history and contributions of both of these institutions to the building of our communities.

Today, the University of Alberta is one of the largest and most renowned universities in Canada and one of the most respected institutions of higher learning in the world.

Honourable senators, the University of Alberta will mark its centenary with a series of events and celebrations. The highlight event of the centenary celebrations — other than the university's annual homecoming event in September 2008 — will be a Prime Minister's Conversation Series. Throughout 2008, each of Canada's six living former Prime Ministers will give a lecture based on the theme, "Advancing Canada: Changing the World."

Honourable senators, it is hard to believe that only 100 years ago, the province of Alberta built its first university in Edmonton. It is even harder to believe that the province is only 103 years old. The province, the university and the people of Alberta have come a long way since then. Yet, it is my belief, honourable senators, that much of Alberta's current success is a consequence of that original foresight. The province's early leaders believed in the value of higher education, and the educational systems they that built and supported have given evidence to that belief.

[Translation]

I would like to sincerely congratulate both Campus Saint-Jean and the University of Alberta.

[English]

### WHITE CANE WEEK

**Hon. Catherine S. Callbeck:** Honourable senators, every February the Canadian Council of the Blind celebrates White Cane Week, a full week of events to raise awareness of the challenges facing the more than 600,000 blind and visually impaired Canadians in this country.

This year, White Cane Week emphasizes two important themes: "The white cane is a symbol of ability, not disability" and "Changing what it means to be blind."

Across Canada, from February 3 to 11, chapters and clubs of the Canadian Council of the Blind are holding curling fun-spiels and bowling tournaments. Information booths and sessions are being offered at community events. In my home province of Prince Edward Island, both the Queensland and Prince County

chapters are holding bowling tournaments. Members will set up public awareness displays in malls, as well as visit Island schools to speak to students.

• (1410)

The council's work is not limited to one week per year. With more than 65 clubs across Canada, the CCB offers a wide range of programs to its members: a bursary program for post-secondary students, public awareness campaigns and skill training. As well, members of the council act as advocates.

The new TechCane program seeks to provide computers to as many members as possible.

Recently, there have been steps taken to address some of the challenges facing blind and visually impaired Canadians. First, 2008 will mark the launch of the Accessible Channel, a specialty TV channel which uses described programming, quite literally describing the action taking place on the screen. Also, public transit systems in some of Canada's cities are beginning to verbally announce stops along the route so that all passengers can be kept aware of their trip's progress. In addition, the Initiative for Equitable Library Access, carried out by Library and Archives Canada, will help support access to library collections by Canadians with print disabilities.

Today I ask honourable senators to join with me in recognizing the importance of White Cane Week, and in congratulating the members of the Canadian Council of the Blind for their continued enthusiasm, hard work and dedication.

### THE LATE ARCHBISHOP CHRISTODOULOS

**Hon. Pana Merchant:** Honourable senators, Hellenes in Canada and the Greek community the world over were saddened last week at the passing of His Beatitude Archbishop Christodoulos, the beloved leader of the Greek Orthodox Church of Athens and all of Greece.

Archbishop Christodoulos was committed to guarding the faith and keeping the traditions of orthodoxy alive and vibrant. In addition to being a popular figure in Greece, His Holiness had been a tremendous spiritual leader of the Greece Orthodox Church, an energetic servant of God who, since his 1998 election as head of the church, was credited with reinvigorating the church.

The Orthodox Church in Greece represents 97 per cent of the country's native-born populace.

Born Christos Paraskevaidis, in 1939, Archbishop Christodoulos was one of two sons; his father a wholesale food importer, his mother a devoutly religious woman. He was ordained at the age of 22; obtained degrees in law and theology from the University of Athens; served as secretary to the church's governing Holy Synod; was elected Metropolitan Bishop of a diocese based in Volos, Greece; and elected Archbishop of Athens and all of Greece on April 28, 1998.

Archbishop Christodoulos was remarkable in forging new horizons and is noted for his efforts in improving ties and creating a dialogue with the Church of Rome, culminating in the historic visits of the late Pope John Paul II to Greece in 2001, and in turn, his own journey to the Vatican in 2006.

His Beatitude Archbishop Christodoulos was a dedicated, faithful servant of God. May his memory be eternal.

### THE HONOURABLE WILFRED P. MOORE, Q.C.

#### CONGRATULATIONS ON RECEIVING A DOCTOR OF LAWS DEGREE FROM SAINT MARY'S UNIVERSITY

**Hon. Terry M. Mercer:** Honourable senators, this past fall, over 300 students from the faculties of arts, commerce, science and graduate studies and research crossed the stage and received degrees from Saint Mary's University in Halifax, Nova Scotia.

Saint Mary's is one of Canada's oldest and leading institutions of higher learning. As a proud Santamarian myself and the father of a current student at Saint Mary's, it was great to see that one of our own honourable colleagues was recognized for his outstanding service to public life.

Senator Wilfred P. Moore, Q.C. was awarded an Honorary Doctor of Laws degree. This would be his second degree from Saint Mary's, as he received his first in 1964 with a Bachelor of Commerce.

Senator — now doctor — Moore is no stranger to education, politics and public life. From 1974 to 1980, he was a Halifax alderman and served as deputy mayor. He served as chairman of the Social Assistance Appeal Board for Halifax and Dartmouth and was the founding director and chairman of the Halifax Metro Centre. He served 10 years as a member of the board of directors of Saint Mary's University. He is a former member of the Royal Canadian Air Force Reserves. He has served as Chairman of the Bluenose II Preservation Trust — a group of volunteers who restored, maintained and operated the historic schooner Bluenose II for ten years. He did all of that, honourable senators, whilst serving in this place since his appointment to the Senate in 1996.

• (1415)

On a personal note, I had the pleasure of serving with Senator Moore in his capacity as treasurer, vice-president of policy, president and then past president of the Liberal Party of Nova Scotia, while I was the Executive Director. As well, he found time to run two very successful leadership campaigns with the Right Honourable Jean Chrétien.

During the convocation ceremony, Dr. Moore spoke of his pride in St. Mary's and of its stature in the world of education. He said:

St. Mary's graduates, the world is now all yours. No matter where you go in the world, always remain involved with your alma mater. This is the best place in the world to obtain an education; it's the place where you have met your lifelong friends; it's the place that gives you credibility and passion for life.

[ Senator Merchant ]

Honourable senators, I could not agree more. I hope you will join me in congratulating Dr. Moore on his well-deserved achievement.

[Translation]

## ROUTINE PROCEEDINGS

### SPEAKER'S DELEGATION TO ITALY, PORTUGAL AND RUSSIA

OCTOBER 25-NOVEMBER 10, 2007—REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the Visit Report to Italy, Portugal and Russia, October 25 to November 10, 2007.

### FOREIGN AFFAIRS

GLOBAL PARTNERSHIP PROGRAM—  
2006-07 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the Global Partnership Program's annual report entitled *A Tangible Canadian Contribution to Reducing the Threat of Weapons of Mass Destruction*.

### ANTI-TERRORISM

NOTICE OF MOTION TO AUTHORIZE SPECIAL COMMITTEE TO MEET DURING SITTINGS OF THE SENATE

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Special Senate Committee on Anti-Terrorism be authorized to sit at any time from Monday, February 11, 2008 to Friday, February 15, 2008, even though the Senate may then be sitting, and that the application of rule 95(4) be suspended in relation thereto.

[English]

### BILL RESPECTING PAYMENTS TO A TRUST ESTABLISHED TO PROVIDE PROVINCES AND TERRITORIES WITH FUNDING FOR COMMUNITY DEVELOPMENT

FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-41, An Act respecting payments to a trust established to provide provinces and territories with funding for community development.

Bill read first time.

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

On motion of Senator Comeau, with leave of the Senate and notwithstanding rule 57(1)(f), bill placed on the Orders of the Day for second reading later this day.

## CANADA-EUROPE PARLIAMENTARY ASSOCIATION

THIRTIETH EUROPEAN PARLIAMENT,  
NOVEMBER 20-22, 2007—REPORT TABLED

**Hon. Lorna Milne:** Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report of the Canadian parliamentary delegation to the Canada-Europe Parliamentary Association regarding the Thirtieth European Parliament meeting held in Brussels, Belgium, from November 20 to 22, 2007.

• (1420)

## AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO MEET DURING ADJOURNMENT OF THE SENATE

**Hon. Joyce Fairbairn:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to Rule 95(3)(a), the Standing Senate Committee on Agriculture and Forestry be authorized to sit between Monday, February 18, 2008 and Thursday, February 21, 2008, inclusive, even though the Senate may then be adjourned for a period exceeding one week.

## THE SENATE

NOTICE OF MOTION URGING GOVERNMENT  
TO BLOCK SALE OF CANADARM AND RADARSAT

**Hon. Mac Harb:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate take note of the proposed sale of the Canadarm, RADARSAT satellite business to American arms-maker Alliant Techsystems for \$1.325 billion;

That the Senate note that this nationally significant technology was funded by Canadian taxpayers through grants and other technology subsidies for civilian and commercial purposes;

That the Senate note that this sale threatens to put Canada in breach of the 1997 international landmines treaty it was instrumental in writing;

That the Senate acknowledge that although Industry Canada will do a mandatory review of the trade issues relating to the sale there are many vital social, political, moral and technological issues that need to be examined;

That the Senate of Canada urge the Government of Canada to block the proposed sale of the nationally significant Canadarm, RADARSAT satellite business to American arms-maker Alliant Techsystems; and

That a message be sent to the House of Commons to acquaint that House with the above.

## QUESTION PERIOD

### FINANCE

BREACH OF TREASURY BOARD  
GUIDELINES—AWARDING OF CONTRACT

**Hon. Tommy Banks:** Honourable senators, my question is to the Leader of the Government in the Senate, and it relates to matters of accountability and transparency in government, a subject with which I hope some members opposite have a grazing familiarity.

Will the Leader of the Government in the Senate please inform us as to whether there are any consequences and if so, what they are of ministers of the Crown who violate Treasury Board regulations as they pertain to the awarding of contracts?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** I thank the honourable senator for his question. I presume that he is asking the specific question about the Minister of Finance, although he did not indicate such.

The Minister of Finance addressed this matter openly and honestly yesterday. He acknowledged in the other place that certain administrative guidelines were not followed and that steps have now been taken to correct the situation. He assured members of the House of Commons that the work provided to him by the individual in question was good work, fully worthy of the contract. The Minister of Finance actually did something that has not been done very often in the past, where ministers acknowledge that there was an administrative oversight, and he took actions to deal with the situation.

**Senator Banks:** As the honourable leader said, I did not raise the question of the Minister of Finance, but now that she has raised it, my question had to do with whether there are at present any sanctions or any consequences of a minister of the Crown doing, for example, what the Minister of Finance has done. Notwithstanding that he has corrected the situation, I am wondering if there are any consequences in that respect.

**Senator LeBreton:** As the honourable senator knows, there is a code to which all cabinet ministers must adhere. I am very proud to be part of a cabinet that is very respectful of both the taxpayers' dollars and the law. We have been in government for two years now and during that time, we have not had any examples of cabinet ministers abusing or misusing taxpayers' dollars.

• (1425)

**Senator Banks:** In this particular case, the honourable senator is correct in that the minister said in the comments that value-for-money was received. That was not the question, but I guess there is no longer a consequence — any more than there ever was — for ministers who breach those guidelines.

The contract to which the minister refers, and for which good value was received, was in the order of \$122,000 for what we understand is two months work. That works out to about \$60,000 a month for a writer. That is more than three times what the average Canadian worker could earn in a year.

Can the Leader of the Government explain how the Minister of Finance was able to ignore what I have to presume would have been the warnings and exceptions that would have been pointed out to him by his deputies, by his assistant deputies and, one assumes, by others in the department regarding the danger and the impropriety of awarding a \$122,000 untendered contract?

**Senator LeBreton:** As the honourable senator can appreciate, contract work like this is dealt with administratively. I cannot specifically answer the question about whether people in the Department of Finance brought this matter directly to the Minister of Finance, but I will take that question as notice.

**Senator Banks:** I hope that the honourable senator will do that, and I hope that we can also find out whether officials in the department either warned or pointed out to the minister that the awarding of such a contract without a tender is not and never has been in accordance with Treasury Board guidelines.

Honourable senators, \$122,000 is a lot of money. It represents about \$22 a word, which may explain why there are so many “ifs,” “ands” and “buts” in the speech. I look forward to receiving the answer.

**Senator LeBreton:** I was prepared to agree with the honourable senator. I will check with the officials at the Department of Finance. The honourable senator said that \$122,000 is a lot of money; so is \$40 million — and we still do not know where it went.

[Translation]

## PUBLIC WORKS AND GOVERNMENT SERVICES

### DISPUTE WITH ROSDEV GROUP—INVOLVEMENT OF EMPLOYEE OF PRIME MINISTER'S OFFICE

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** Honourable senators, my question is for the Minister of Public Works and Government Services. When Leo Housakos tried to exert his influence and lobby the department, your Chief of Staff acted appropriately. He decided to ignore the demands of this Conservative Party fundraiser, who was lobbying illegally. As a good Chief of Staff, I suppose that Mr. Loiselle told you about the questionable activities of Mr. Housakos.

When the time came to appoint Mr. Housakos to the board of Via Rail, knowing the normal procedure for making such appointments, did the minister inform his cabinet colleagues of his reservations regarding Mr. Housakos?

**Hon. Michael Fortier (Minister of Public Works and Government Services):** Honourable senators, I thank the honourable Leader of the Opposition for her question. Mr. Housakos and Mr. Loiselle both said that there were no discussions on that file and that Mr. Loiselle did not want to discuss it. Thus, there was no illegal lobbying activity, since there was never any discussion of the matter between them.

[ Senator Banks ]

As for the appointment process, there were other factors surrounding those appointments and confidential discussions were held among Cabinet members. Honourable senators will understand that the first part of my reply is an indication of how I would have responded to the second part, if I were at liberty to do so.

**Senator Hervieux-Payette:** In fact, we know that Mr. Housakos tried, unsuccessfully, to influence the minister's Chief of Staff, who realized very quickly what was going on and refused to discuss the file, informing Mr. Housakos that that was lobbying.

• (1430)

I wanted to know whether or not the Minister of Public Works was consulted and, after this attempt by Mr. Housakos, if the minister had reservations with regard to his appointment to the VIA Rail Board of Directors. Mr. Housakos did attempt to influence the minister's staff and broke the rules made public by the government and laws such as the Accountability Act.

**Senator Fortier:** Honourable senators, according to the statements by Mr. Housakos and Mr. Loiselle, the former sought to raise the matter. To say that he tried to influence Mr. Loiselle indicates to me that my understanding of the facts and the honourable senator's interpretation of these facts differ. He wanted to discuss it and the discussion did not take place. There cannot have been an attempt to influence anyone because the matter was not discussed. My answer is the same as that to her first question.

## PRIME MINISTER'S OFFICE

### APPOINTMENT OF MR. LEO HOUSAKOS TO BOARD OF VIA RAIL

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** We are playing somewhat with words, but I will delve a little deeper. When Bill C-2 was adopted, there was a great deal of pressure on your government to accelerate the process. With regard to the appointment process put in place by the Accountability Act, Bill C-2, can the minister explain what qualifications related to transportation Mr. Housakos possesses to be appointed to the VIA Rail Board of Directors?

[English]

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, with regard to the appointments process, I believe the appointments secretary in the Prime Minister's Office deals with appointment vacancies. There are many. We are faced with quite a number of vacancies at the moment. There is a process to seek out people to serve on the various agencies and boards.

In the election campaign and in the Federal Accountability Act, we promised an appointments oversight body, which, unfortunately, did not come to fruition because of the activities of the opposition in the other place.

However, the government made a commitment to appoint qualified people to serve on the various agencies, boards and commissions. There have been many highly qualified individuals



appointed from all political stripes. I think the appointment of this individual would have followed a process through the departments that were affected. In this case, it would have been in consultation with the Minister of Transport.

### THE RIGHT HONOURABLE BRIAN MULRONEY

#### ALLEGED CASH PAYMENTS— JUDICIAL INQUIRY—APPOINTMENT OF MR. ROBIN SEARS AS LOBBYIST

**Hon. Terry M. Mercer:** Honourable senators, my question is for the Leader of the Government in the Senate.

When allegations about payments from Karlheinz Schreiber to former Prime Minister Brian Mulroney surfaced again last November, a directive from current Prime Minister Stephen Harper was issued that all contact with Canada's growing-old government and Mr. Mulroney be cut off.

Last week we learned that Robin Sears registered to lobby the PMO, the PCO and other offices on behalf of Mr. Mulroney. Will the leader tell us whether or not she spoke to Mr. Sears before he registered or even after he registered as Mr. Mulroney's lobbyist, as she is not allowed to speak to her good friend, Brian?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** The answer, honourable senators, is that I have spoken to no one.

**Senator Mercer:** Can the minister tell us if she is aware of Mr. Sears speaking to any officials of this government on behalf of Mr. Mulroney?

**Senator LeBreton:** Honourable senators, I read in the newspaper that Mr. Sears had registered as a lobbyist. All people who register themselves, which is legal, list their potential contacts. The fact that they list their potential contacts does not, in fact, mean that they actually ever contact them.

To my knowledge, no one that I am aware of has been contacted or in fact has met with Mr. Sears.

• (1435)

**Senator Mercer:** Will the Leader of the Government in the Senate give us her assurance that she will remind her staff and other members of the government of Mr. Harper's directive, and that meeting with Mr. Sears would be going through the back door to do what the Prime Minister has ordered them not to do through the front door, namely, talk to Mr. Mulroney? With respect to talking to Mr. Sears, who is publicly acknowledged as being Mr. Mulroney's spokesperson, Mr. Harper's directive to all of his officials should be followed.

**Senator LeBreton:** We have excellent people who serve the government by working in the ministers' offices. They are all highly ethical and hardworking people, and they do not need any reminders, especially from Liberals.

### LEGAL AND CONSTITUTIONAL AFFAIRS

#### PROGRESS OF BILL C-2

**Hon. Elaine McCoy:** My question is to the Chair of the Standing Senate Committee on Legal and Constitutional Affairs.

Parliament has been sitting now for one week since it started back. In the space of those four days in the other place, four backbenchers have addressed the progress of their flagship government legislation known as Bill C-2, which is a bill to amend the Criminal Code. In each and every case, the comments and/or questions to the Minister of Justice either insinuated or flatly stated that the Senate was dragging its feet on passing this legislation.

A quick look at the record assured me that we only received that bill from the other place on November 29, 2007. Within two weeks it had passed first reading, it had passed second reading and the bill was then referred to our Standing Senate Committee on Legal and Constitutional Affairs on December 12. On December 14, of course, both Houses of Parliament adjourned for the Christmas break, and, as I stated earlier, we only came back last week.

My question to the chair of our standing committee is: Where on the committee's agenda does that bill sit?

**Hon. Joan Fraser:** I thank the honourable senator for her question. We shall begin the study of Bill C-2 tomorrow evening at our regularly scheduled meeting, and we shall hear at that time from the minister, Mr. Nicholson. Like the honourable senator, I have heard the comments from various backbenchers in the other place. Many of them sound to me like planted questions.

**Senator Comeau:** Just like this one.

**Senator Fraser:** However, I can assure the honourable senator that the Standing Senate Committee on Legal and Constitutional Affairs takes all of its responsibilities seriously. We have been occupied with the study of various pieces of government legislation, the most recent of which was reported to this chamber last Thursday afternoon, and, as I said, at our next meeting we begin the study of Bill C-2.

**Hon. David Tkachuk:** As the chairman knows, the passage of the bill in the other place was a vote of confidence in the government, and the bill is now before her committee. We on this side believe that Canadians need that legislation, and want it. Could the chair of the Standing Senate Committee on Legal and Constitutional Affairs advise the chamber as to the committee's work plan for this bill? Can she provide some indication as to when we can expect the bill to be reported to this chamber?

**Senator Fox:** Before the election.

• (1440)

**Senator Fraser:** Honourable senators, as Senator Tkachuk is probably aware, this is complicated legislation. It puts together what were originally five separate bills, none of which was ever considered by a Senate committee, so we have serious work to do.

The committee hearings in the House of Commons were very lengthy and stretched out over a considerable period of time. Including all the various incarnations of this bill, the Justice Committee in the other place held more than 40 hearings on this bill, which suggests that it is indeed very complicated legislation.

All senators are proud of the work done by Senate committees. This committee intends to proceed very diligently, but to do what Senate committees are supposed to do, that is, study the bill properly.

**Senator Tkachuk:** We on this side know that the bill is complicated and that it needs further study. I am sure that we on this side are willing to work long hours to make that happen. I am sure that members on this side would be more than interested in extending the sitting times of the committee in order that this bill can be passed.

From what the honourable senator is saying, I think she will still be talking about it in April. Would members on the honourable senator's committee be willing to sit late at night in order to hear the witnesses as quickly as possible?

**Senator Fraser:** Honourable senators, as I expect the honourable senator is aware, the whips have agreed to extended hours. The current plan of the steering committee is to extend the hours of the regular Wednesday evening sitting. However, on Thursday mornings, as honourable senators know, we bump up against the sittings of the Senate.

**Senator McCoy:** Honourable senators, I assume, because ministers have busy schedules, that the minister knew last week that he was scheduled to appear before the Legal Affairs Committee tomorrow. That begs the question of why he did not bring to the attention of the other place the fact that the allegations were mischaracterizations, to put it politely. I believe that parliamentarians have a duty to uphold the honour and reputation of our institutions.

Will Senator Fraser raise this matter with the Minister of Justice and bring to his attention this scurrilous mischaracterization of the Senate's workload?

**Senator Fraser:** What an excellent idea. I cannot guarantee that this question will be put by a member of the committee, but I do think it is an excellent idea, and I suspect other members of the committee may agree.

[*Translation*]

## OFFICIAL LANGUAGES

### CONSULTATIONS ON LINGUISTIC DUALITY AND OFFICIAL LANGUAGES—SELECTION OF WITNESSES

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** My question is for the Leader of the Government.

The Prime Minister appointed Bernard Lord to consult with organizations representing official language minority communities. These consultations are now finished. I am concerned that the consultations were by invitation only, thus

[ Senator Fraser ]

making several organizations feel aggrieved, particularly *Impératif français*, the *Association des juristes d'expression française* among many others.

Since the organizations were arbitrarily chosen, were the findings not already predetermined? Would the government not have chosen organizations to corroborate its own findings and objectives?

[*English*]

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** I thank the honourable senator for the question. Bernard Lord is a very credible individual, and he has traveled across the country on these consultations. I am not aware that he has rejected any group that wanted to make a presentation. I believe the opposite is true. However, I will ascertain whether the particular groups that Senator Tardif mentioned asked for a meeting and, if they did, why they were not granted one.

• (1445)

[*Translation*]

**Senator Tardif:** I thank the Leader of the Government for her response. Could she also find out what criteria were used to select organizations and, when she sees Mr. Lord, ask him which criteria he used to select the organizations that did appear?

[*English*]

**Senator LeBreton:** I would be happy to find out that information for the Honourable Senator Tardif.

## TRANSPORT, INFRASTRUCTURE AND COMMUNITIES

### CANADA POST—DEREGULATION OF MAIL DELIVERY—INFLUENCE OF BILL C-14

**Hon. Lorna Milne:** Honourable senators, Canada Post estimates that it loses between \$60 million and \$80 million a year to private mail delivery companies; that is, re-mail companies. Since it is much cheaper to deliver mail to Canada's cities in comparison to the rest of the country, these private companies compete with Canada Post to deliver mail to Canada's urban centres. Meanwhile, they actually use Canada Post to process their deliveries to rural Canadians where the cost of delivering mail is much more expensive. By poaching revenues from Canada Post, these private companies continue to hinder Canada Post's ability to provide universal postal service in Canada at a reasonable cost.

Can the Leader of the Government in the Senate explain to honourable senators if the introduction to Bill C-14 in the other place is the first step toward the deregulation of mail delivery in Canada?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, the fact is members of our government, and particularly members of our caucus, a huge number of whom represent rural constituencies,

are very concerned about the whole issue of mail delivery in the rural areas. We dealt with the issue of the placement of roadside mailboxes in 2006.

I would not agree with Senator Milne that that is the intent of the bill. However, I will certainly bring her concerns to my cabinet colleague who is in charge of Canada Post.

**Senator Milne:** Honourable senators, I thank the Leader of the Government in the Senate for her answer, but I would like to take her through the introductory speech in the other place that addresses this bill.

On November 20, Mr. Brian Jean, Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, stated, in relation to Bill C-14:

. . . its net effect on Canada Post is not expected to be any different.

I assume he meant different from the present situation. He stated later:

Canada Post does not know for sure how much business it has been losing to remailers operating illegally in Canada.

Finally he concluded, in contradiction to himself:

Should this legislation get enacted, Canada Post estimates losing another \$45 million to \$50 million a year . . . .

This on top of the \$60 million to \$80 million I already mentioned.

Honourable senators, while those in favour of this proposed legislation say that allowing these firms to compete with Canada Post will reduce the cost of their goods or services to consumers, that will only be the case in urban centres.

Would the Leader of the Government in the Senate indicate to honourable senators whether Canada Post has estimated how much Bill C-14 will increase costs to rural Canadians to send their mail in the form of letters?

Would she undertake to ask the minister responsible for Canada Post if an analysis has been completed and report to this chamber?

**Senator LeBreton:** The honourable senator has obviously picked out portions of Mr. Brian Jean's speech in the House of Commons that have been taken out of context. I would have to read the whole speech to confirm whether the contradictions the honourable senator claims are, in fact, there.

I will take the meat of her question as notice because this is a complicated issue, as Canada Post always has been and probably always will be.

**Senator Milne:** I have a copy of the speech right here.

• (1450)

## FINANCE

### LOSSES IN BANKING COMMUNITY—AID

**Hon. Jeremiah S. Grafstein:** Honourable senators, I have a question for the Leader of the Government in the Senate.

In the last few months, we have witnessed the largest meltdown in charter bank equity and further losses due to derivatives or other similar financial instruments of questionable value.

Rumours abound in the marketplace that even more losses are in store for our chartered banks. Is the Government of Canada concerned about this unprecedented problem?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, of course the government is always concerned about marketplace challenges, particularly the challenges that concern our banks. It is no secret that the government is watching the situation in the United States very closely, particularly the sub-prime issue.

As I have said before, Senator Grafstein asks very complicated financial questions. Obviously, no one is happy with a situation where Canadian businesses or Canadian citizens might find themselves in undesirable situations. I will take the honourable senator's question as notice.

**Senator Grafstein:** The deal hammered out, apparently under the auspices of the Department of Finance, which includes all the chartered banks, failed to get the support of at least one major chartered bank. Is the Government of Canada concerned about this state of affairs?

**Senator LeBreton:** Senator Grafstein, I will have to take the question as notice. As I mentioned a moment ago, the government is watching the situation around the world, particularly in the United States, with great interest and concern.

With the strong leadership of the Minister of Finance, the Prime Minister and the cabinet, we realize we must be vigilant on all economic matters. However, we feel Canada is in a good position to deal with the situation at the present time because the fundamentals of our economy are very strong indeed.

[*Translation*]

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table responses to oral questions raised by the Honourable Senator Hervieux-Payette on November 21, 2007, concerning Industry Canada — foreign investment by the Canadian government; by the Honourable Senator Segal on December 5, 2007, concerning foreign affairs — military cooperation between the United States and Russia; by the Honourable Senator Rivest on December 11, 2007, concerning public safety — possible review of the parole process; and by the Honourable Senator Tardif on December 12, 2007, concerning Industry Canada — copyright.

## INDUSTRY

### TAKEOVERS BY FOREIGN STATE-OWNED ENTERPRISES

*(Response to question raised by Hon. Céline Hervieux-Payette on November 21, 2007)*

There are no existing reliable data on this question. Statistics Canada data on Canadian direct investment abroad are not broken down by sector or by owner (private versus public). Reliable information on direct investment abroad by Canadian crown corporations is not readily available.

That being said, over the last two decades, the federal government has privatized many of its large crown corporations with sizeable international operations (e.g., Petro-Canada, Canadian National Railway, Air Canada). As such, the outward direct investment flows of remaining Canadian crown corporations are likely modest.

Privatization of state-owned enterprises (SOEs) has been a major trend in most developed countries over the last few decades. However, in many emerging countries (e.g., China, Russia), SOEs play a much more prominent role in the economy.

Foreign direct investment (FDI) by emerging countries is growing rapidly. FDI by emerging countries has increased on average by more than 20 per cent over the last two years. The share of FDI from emerging countries in global FDI outflows more than doubled since 2003 (from 7.5 per cent to 16.7 per cent in 2006). As many of these emerging countries invest abroad primarily through large SOEs, global outflows by large SOEs are expected to continue to grow at a sustained strong pace in the coming years.

## FOREIGN AFFAIRS

### UNITED STATES AND RUSSIA—MEMORANDUM OF UNDERSTANDING ON INTEROPERABILITY OF DEFENCE FORCES

*(Response to question raised by Hon. Hugh Segal on December 5, 2007)*

During a visit to Washington in December 2007, the Chief of the Russian General Staff, General Yury Baluyevsky, signed an annual bilateral training plan with his US counterpart, the Chairman of the Joint Chiefs of Staff, Navy Admiral Michael Mullen.

The annual US-Russia training plan has been an ongoing feature of the bilateral relationship for a number of years, and is the vehicle by which joint US-Russia military initiatives and exercises are scheduled and approved for the upcoming year.

As this is a bilateral military agreement, the US is under no obligation to release the contents of the training plan to other governments.

Bilateral military cooperation between the US and Russia will have no effect on Canadian sovereignty in the Arctic.

Canada's sovereignty over the lands and waters of the Canadian Arctic is longstanding, well established and based on historic title.

## JUSTICE

### CRIMINAL CODE— POSSIBLE REVIEW OF THE PAROLE PROCESS

*(Response to question raised by Hon. Jean-Claude Rivest on December 11, 2007)*

As noted by the Honourable Senator's question, the National Parole Board (NPB) is an independent administrative tribunal that operates at arm's length to the Government of Canada.

This independence of the NPB helps to ensure the impartiality, objectivity and integrity of the parole decision-making process.

The NPB's role, as prescribed in law, is to assess cases and to help ensure the safety of the community through the safe reintegration of offenders. The law under which the NPB operates today is known as the *Corrections and Conditional Release Act*, which has been in force since 1992.

An Independent Review Panel recently completed a comprehensive review of the Correctional Service of Canada. The Panel, in a report released December 13, 2007, entitled "A Roadmap to Strengthening Public Safety", puts forward a plan for the future, comprising 109 recommendations. The government has the Panel's recommendations under review. In its report the Panel endorsed the federal parole decision-making process, concluding that "conditional releases with the highest success rates are those that rely on the judgements of professionals and are based on proper risk assessments that focus on public safety".

## INDUSTRY

### COPYRIGHT LEGISLATION

*(Response to question raised by Hon. Claudette Tardif on December 12, 2007)*

The Notice Paper provides a mechanism for the Government to advise of its intentions to come forward with legislation. However, appearance of anticipated bills on the Notice Paper, while a necessary preliminary, does not commit the Government to a particular time frame.

The Government wants to introduce a copyright bill at the earliest opportunity. However, it will do so when the time is right. Details of the bill will become available at that time.

That said, modern copyright legislation in Canada recognizes the importance of protecting works while also seeking to advance important public policy objectives — economic, social, cultural — by striking an appropriate balance between the interests of creators and users.

In addressing copyright, including issues related to the Internet and new technologies, the Government is seeking to ensure a balanced approach which continues to reflect current technological and legal realities and is supportive of innovation and research.

In this respect, rest assured that there have been extensive discussions with stakeholders representing virtually all points of view, whether at the ministerial or bureaucratic levels.

Stakeholders will have a further opportunity to have their views known to the committee that will be tasked with studying the bill.

[English]

### PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

**The Hon. the Speaker:** Honourable senators, before proceeding to Orders of the Day, I would like to introduce two pages with us from the House of Commons. Kyle Ahluwalia is from Toronto, Ontario, and is enrolled in the Faculty of Social Sciences at the University of Ottawa. Kyle is majoring in international studies and modern languages.

Alex Smyth is from Moncton, New Brunswick, and is pursuing his studies at the University of Ottawa's School of Management.

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

## ORDERS OF THE DAY

### CANADA TRANSPORTATION ACT

#### BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

**Hon. Janis G. Johnson** moved second reading of Bill C-8, An Act to amend the Canada Transportation Act (railway transportation).

She said: Honourable senators, I am pleased to speak today on Bill C-8. This is the third and final government bill amending the Canada Transportation Act, often referred to as the CTA. Bill C-8 is not a lengthy bill but is extremely important to shippers. Some of my honourable colleagues are probably aware that shippers strongly support the bill and are anxious that it be passed as soon as possible without change.

I will explain why the bill is so important to shippers in a minute, but first I want to provide a bit of background and context.

The CTA is the framework for the economic regulation of railways and air carriers in Canada. Among other things, it establishes the Canada Transportation Agency and provides it with necessary powers, as regulator, to administer the act.

We have already dealt with two previous bills amending the CTA: The International Bridges and Tunnels Act was passed in February 2007 and Bill C-11 was passed in June 2007. The latter bill amended provisions related to the agency, air carriers, passenger railways, railway noise and vibrations and transportation mergers and acquisitions.

Consultations on amendments to the CTA stem back to the statutory review of the act that occurred in 2000-01. Previous bills died on the Order Paper in 2003 and 2005. This has been in the mix for some time. Honourable senators can see that shippers have been waiting anxiously for regulatory improvements and they are anxious for the legislation to finally be passed.

Over the last few decades, honourable senators, the legislative framework for railways has moved toward less regulation as the transportation system became more mature and there was increasing inter-modal and intra-modal competition. Nevertheless, it has always been recognized that the economic conduct of railways needs to be regulated, given the market power they possess and their fundamental importance to the history, geography and economic competitiveness of Canada.

Some shippers have access to competitive alternatives — be it a second railway, trucking or marine transportation. These shippers usually have good relations with railways, given that they can exercise bargaining power. There are many others, however, who do not have effective alternatives and are captive to one railway. I refer in particular to shippers of bulk commodities. It is these shippers, honourable senators, who have service or rate issues with railways and who require legislative remedies to protect them from the potential abuse of market power by the railways.

The policy challenge has always been to find the right balance that facilitates railway investment and encourages commercial solutions to disputes between the shippers and the railways, while at the same time protecting shippers from potentially excessive railway market power.

The policy framework has generally worked well, especially from a railway perspective. Canadian National Railway and Canadian Pacific Railway are enjoying financial success and are able to compete effectively in the North American railway market. They generate sufficient revenues to maintain and improve their infrastructure and equipment without any government assistance. This is a positive result. Clearly, Canada needs healthy railways to help our producers, manufacturers, exporters and importers compete in domestic, continental and overseas markets. Nonetheless, honourable senators, the government has heard increasing complaints about railway service and rates in recent years. The time has come to rebalance the regulatory framework towards the shippers. A good legislative framework can improve shipper leverage and commercial negotiations with the railways and lead to better service and rates.

While Bill C-8 is clearly intended to help shippers, it will also provide regulatory stability to the railways by ending the debate on changes to the shipper protection provisions that has been

going on for over seven years. I want to note that in testimony before the Standing Committee on Transport, Infrastructure and Communities, the president of the Railway Association of Canada stated that Bill C-8 will not cause the railways to cancel any investment plans.

Bill C-8 is a surprisingly short bill, given its importance to shippers and the length of time the shipper protection provisions have been debated. However, it does reflect months of close consultation between Transport Canada officials, the shipper community and the railways and reflects a very strong consensus among shipper groups on the proposed amendments.

I want to say a few words about three clauses in Bill C-8 that are of most importance to shippers. First, clause 1 of the bill repeals section 27(2) and (3) of the CTA, commonly referred to as the “substantial commercial harm” provision. Under this provision, the agency must be satisfied that a shipper would suffer substantial commercial harm before granting a regulatory remedy. For your information, this provision does not apply to final-offer arbitration, which I will discuss.

In its 2001 report, the Canada Transportation Act Review Panel recommended that the substantial commercial harm test be repealed on the grounds that it focused on the impact of the shipper rather than on the performance of the railway. There is a question of need, in addition to this issue of fairness. A decision to seek a regulatory remedy is not made lightly. Applying for one of the Canadian Transportation Agency remedies can be quite expensive in terms of legal and consulting fees and, moreover, can have an adverse effect on a shipper’s relationship with a railway. Therefore, the government believes that there is no reason to retain this test.

• (1500)

There is already a requirement in the CTA that the rates set by the agency for rail services must be “commercially fair and reasonable to all parties.” This requirement is being retained, and will also apply to the next provision that I want to discuss.

Clause 3 of Bill C-8 introduces a new provision to address shipper complaints about railway “charges” excluding freight rates. Charges include such things as demurrage and fees for cleaning or storing cars. The intended remedy for freight rates is final offer arbitration.

Honourable senators, railway charges have become an issue over the last few years. The railways have increased the number of such charges in order to encourage efficient behaviour by shippers and to maximize the utilization of railway assets. While this is understandable, many shippers complain about the lack of consultation on charges and conditions, and express concern that the level of the charges or the types of conditions attached to them are unfair.

Under the new provision, a shipper or group of shippers would be able to complain to the agency about charges or associated conditions that the shipper or group of shippers felt were unreasonable. This is critical. The agency would then have the authority to investigate the complaint and, if warranted, order the railway to change the charge or condition. The bill includes a

number of factors to guide the agency in its deliberations. The revised charge or conditions would apply to all shippers, not just those who had filed the complaint. This is an expeditious and low cost way to deal with the issue of railway charges, and it has strong shipper support.

Finally, clause 7 of Bill C-8 expands the final offer arbitration provisions to groups of shippers. Final offer arbitration, or FOA, is baseball-style arbitration under which the shipper and the railway each table their best offer. The arbitrator selects one or the other, without change. The process encourages both sides to be reasonable in their demands and helps to encourage negotiated settlements.

FOA is particularly popular with shippers, although it can be quite expensive. I want to emphasize that extending FOA to groups of shippers is the provision of this bill that is likely to be the most popular with shippers. It will give them more power in their negotiations with the railways and will reduce the costs of a formal FOA application.

Group FOA will be subject to three key conditions: First, the agency must be satisfied that the group has attempted to mediate its dispute with the railway before the FOA application can proceed; second, the FOA application from the group must deal with a matter that is common to all of them; finally, the group must submit a joint offer that applies to all of the applicants. This is a comprehensive process.

Before I close, I want to make two additional points. The first relates to commercial dispute resolution mechanisms. During consultations on potential changes to the shipper protection provisions in 2006, the Minister of Transport, Infrastructure and Communities challenged Canadian National Railway and Canadian Pacific Railway to develop a commercial solution to address shipper issues. The intention was that the commercial solution and improved regulatory provisions would complement one another.

The railways then came up with a commercial dispute resolution process that they discussed with the shippers. Although good progress was made, discussions eventually broke down. It is hoped that the shippers and the railways will re-engage in these discussions once Bill C-8 is passed. We are very confident that this will happen. An effective commercial process is preferable to regulated remedies because it is quicker, less expensive and less confrontational. The passage of this bill will strengthen the shippers’ position in negotiating an effective commercial dispute resolution process with the railways.

The second point relates to a review of railway service. When the former Bill C-58 was tabled last May, the government announced it would commence a review of railway service within 30 days of the passage of this bill. Shippers strongly support the proposed review. I support it, as well.

Honourable senators, I strongly encourage the speedy passage of Bill C-8. Not only will this give shippers access to improved shipper protection provisions, it will also trigger a review of railway service. It is hoped that it will also encourage shippers and railways to resume discussions on a commercial dispute resolution process. These are all very positive and critical initiatives, and will provide

significant benefits to shippers across Canada, contributing to a more efficient and globally competitive rail industry that advances Canada's position in global commerce.

**Hon. Lorna Milne:** Will the honourable senator accept a question?

**Senator Johnson:** Yes.

**Senator Milne:** Senator Johnson, you may not be aware that the Director of the Canadian Wheat Board also strongly supports this bill. Will this change our government's opinion of the Canadian Wheat Board?

**Senator Johnson:** Of course not, honourable senator.

On motion of Senator Zimmer, debate adjourned.

**BILL RESPECTING PAYMENTS TO A TRUST  
ESTABLISHED TO PROVIDE PROVINCES  
AND TERRITORIES WITH FUNDING  
FOR COMMUNITY DEVELOPMENT**

SECOND READING

**Hon. Terry Stratton** moved second reading of Bill C-41, An Act respecting payments to a trust established to provide provinces and territories with funding for community development.

He said: Honourable senators, in recent years Canadians have enjoyed one of the strongest periods of economic growth in our history. The national unemployment rate stands at its lowest level in over 30 years. We are the only G7 nation that is reducing its debt levels. We are moving towards the lowest business tax regime in the major industrialized economies. In short, the overall fundamentals of our economy are very strong. As a nation, we are well positioned for long-term growth and prosperity.

However, some communities are vulnerable. Throughout Canada, it is not uncommon for a particular town to be heavily reliant upon one employer or one economic sector. Also, as an open trading economy, the problem faced by other nations can often create economic challenges here at home. The effect of the American housing slump on the lumber industry is but one example. These challenges are felt particularly by those one-company or one-sector towns as exchange rates fluctuate and as markets decline. For this reason, the government announced last month that it would establish the Community Development Trust to help vulnerable communities adjust to these circumstances. It is aimed at single-industry towns facing major downturns and regions hit by layoffs across a range of employers.

Within mutually agreed-upon parameters, funding would be administered by the provinces and territories because they are best placed to identify the unique difficulties facing these communities across Canada.

The potential areas of investment could include: Job training funds and skills development to meet identified local or regional gaps; measures to assist workers in unique circumstances facing adjustment challenges; funding to develop community transition plans in support of economic development and diversification;

infrastructure initiatives that support the diversification of local economies; and other economic development and diversification initiatives aimed at helping communities manage transition and adjustments, such as public utilities projects, industrial park development, science and technology development, access to broadband technology, downtown revitalization, and communication and transportation services.

Community development trusts will be financed through a one-time allocation of \$1 billion from this year's surplus. Honourable senators, this funding is to supplement existing and proposed investments by provincial and territorial governments to support community enhancement and development. Projects funded through this trust will have to respect our international obligations under both the World Trade Organization and NAFTA.

Honourable senators, Bill C-41 provides the legislative framework for the Community Development Trust. It will authorize the Minister of Finance to make direct payments, in an aggregate amount not exceeding \$1 billion, to a trust established to provide the provinces and territories with funding to support provincial and territorial initiatives that assist the adjustment of vulnerable communities to international, economic uncertainty. Once the legislation is authorized by Parliament and agreements are signed with the provinces, the money can begin to flow.

• (1510)

Honourable senators, this is a major, new national initiative to support provincial and territorial efforts to build a stronger, more prosperous future for communities and workers who have been hurt by the current economic volatility.

The trust builds upon several initiatives undertaken by our government. These initiatives include the forest industry support package announced in Budget 2006. In that budget, the government met its commitment to help combat the mountain pine beetle infestation, strengthen the long-term competitiveness of the forestry sector and support adjustment by providing \$400 million over a two-year period. The initiatives include the acceleration of capital cost allowances for manufacturing found in Budget 2007. They include the additional, broad-based, business tax cuts from the fall economic statement.

The general corporate tax rate, which was 22.12 per cent last year, will fall to 15 per cent in 2012. The small business tax rate was reduced to 11 per cent this year, one year earlier than previously planned.

Our government's initiatives include the substantial increases we have made and federal support for skills training, infrastructure, and science and research funding, often through transfers to the provinces.

This morning, the opposition members of the other place agreed to provide this bill with fairly quick passage, and we are hoping for similar cooperation in this chamber.

**Hon. Joseph A. Day:** I wonder if Senator Stratton would take a question.

Honourable senators, have we seen the bill yet? I have some basic questions. I have not —

**Hon. Anne C. Cools:** There has to be a copy of the bill before us. We are moving second reading.

**Senator Day:** I understand. Have we seen it? Has it been distributed?

**Senator Cools:** That is not in order. Why is there a bill forced to second reading that is not before us, not distributed to us? I was under the impression that the motion for second reading was moved. How can there be a motion to read a bill for the second time if the bill is not even before us? Perhaps the government could answer the question.

**Senator Day:** My question is with respect to the fact that this is called a trust. I am concerned about governance. Is there a structure in the bill for the creation of trustees?

**Senator Stratton:** I will read to you that there is no definitive outline of it. Clause 1 reads:

1.(1) The Minister of Finance may make direct payments, in an aggregate amount not to exceed one billion dollars, to a trust established to provide provinces and territories with funding to support provincial and territorial initiatives to assist the adjustment of vulnerable communities to international economic volatility.

(2) The amount that may be provided to the province or territory under this section is to be determined in correspondence with the terms of the trust indenture establishing the trust.

The terms and conditions of the trust, while not described in the bill, would be expanded when the committee sits and meets to study this bill.

**Senator Day:** Is the honourable senator of the view that there would be one trust indenture for the \$1 billion, or would there be a separate trust document for each province and therefore separate negotiations for each province and territory?

**Senator Stratton:** That question can be answered at committee. It will be through regulation. It allocates \$10 million to each province and \$3 million to each territory, and is thereafter apportioned on a per capita basis. This trust is to be paid out over three years. That is the limit of the definition that we have to date.

I expect it will be explained when we get into committee. This bill has to happen quickly in order to be effective, particularly for the provinces that are hard hit.

**Senator Day:** I understand that. I am asking some of these questions as chair of the Standing Senate Committee on National Finance of which you are the deputy chair.

I am trying to get an understanding of what is in the bill so I can determine how we can move quickly in terms of witnesses.

**Senator Stratton:** I expect that the plan is to send this bill to committee this afternoon for hearings tomorrow night, as we discussed this morning in the Standing Senate Committee on National Finance. It was indicated that we wanted to be prepared to hear witnesses on this bill as soon as we were able. Hopefully, that is the intention of this chamber.

**Hon. Tommy Banks:** Senator Stratton, in your speech on this bill, which we can now see is quite short, you mentioned that it was contingent upon the conclusion of agreements with the provinces.

Will those agreements be identical with every province or will there be differences in regards to the agreements between the Government of Canada and the individual provinces?

**Senator Stratton:** As you are aware, there are different problems in different provinces. New Brunswick has a large problem in the forestry sector. Ontario has a large problem in the manufacturing sector, as does Quebec. It will vary from province to province.

**Hon. Lorna Milne:** Senator Stratton, I understand the money is going to be divided equally among the provinces with a lesser amount for each territory. Why would they not divide it based on population?

**Senator Stratton:** Senator Milne, perhaps you did not hear my response. I said \$10 million for each province and \$3 million for each territory. Thereafter, the money was to be allocated on a per capita basis.

**Senator Cools:** Would the senator take a question?

**Senator Stratton:** Yes.

**Senator Cools:** My understanding is that the bill to which you are speaking is Bill C-41 and that the honourable senator is asking the Senate to agree to second reading. Am I correct?

**Senator Stratton:** I would think after debate that would be the intention, as you may or may not realize.

**Senator Cools:** I am quite prepared to listen to you, Senator Stratton.

• (1520)

**Senator Stratton:** This bill was passed through the House this morning in an hour or so and is in our chamber because it is critical that this bill be passed in order to get the money to the provinces as quickly as possible. That is the intent, and it is the request from the government that the same consideration be given to this bill, with the exception that this chamber always refers bills to committee for study, despite the urgency.

The intention is that the bill would be referred to the Standing Senate Committee on National Finance this afternoon. We would have witnesses at the committee tomorrow evening at 6:15 p.m. and report the bill back Thursday morning.

**Senator Cools:** My question to Senator Stratton was why was he proceeding in the way that he is. If a bill is critical and there is an urgency to it, my experience is that senators, for the most part, will be quite cooperative. Cooperation was indicated because



earlier this day, the honourable senator, or someone acting on behalf of the government, asked for leave of the Senate to move ahead with second reading later this day, and leave was given.

Perhaps the honourable senator could clarify my understanding for me. When the proceeding for second reading is moving ahead, a bill must be before colleagues so that they will have the bill before them as the debate is proceeding.

I observe that a copy of the bill has just been placed before me. Some would say there is no need to raise the question, but it would seem to me that the proper and the better way to proceed would have been to wait until later in the day when the bill was actually distributed and before senators.

Could the honourable senator explain to us why he felt the need to proceed before the bill was distributed to members of the Senate?

**Senator Stratton:** I do not disagree with the honourable senator.

I simply suggest that because of the urgency of this bill, that was not taken into consideration because I do not think we had received the bill. It had been passed by the House, but getting the bill printed and distributed may have caused the delay — I do not know this, I am only surmising — such that you did not get the bill until it was received.

**Senator Cools:** It seems to me that there is no urgency that allows for the omission of proceeding in an orderly way. As a matter of record, we cannot vote or debate something that is not before us. I am prepared to concede that there is some urgency; I am not questioning that.

Honourable senators gave leave to move ahead later this day. The understanding was when the matter would be in order and when the bill would be properly before us. The honourable senator chose to go ahead, yet I do not think anybody in the Senate had a copy of the bill. That, to me, is a mark of enormous disrespect.

Perhaps the solution was not to have given leave. Maybe that is how matters such as this should be dealt with in the future, or whenever leave is asked like that — to clarify immediately at the outset that the bill will be before us.

All I was trying to ascertain is why the honourable senator could not have waited half an hour or 20 minutes before moving ahead. That would seem to be a better way. Perhaps the Senate does not mean very much to some honourable colleagues. I have vivid recollections of the honourable senator's own statement about blowing the place up.

All I would say to the honourable senator is that it would be a good idea to proceed in an orderly way. I submit he would find that when he proceeds in accordance with the rules, he would tend to get maximum support.

**Senator Stratton:** I did not hear the honourable senator's last comments.

**Senator Cools:** I said it is usually an accepted principle that when one proceeds in accordance with the rules, one would find that conformity with the rules tends to invite support and cooperation.

It is a shame, honourable senators. I could have chosen to proceed as a point of order, but that would tend to delay the bill more. I take a very dim view of these sorts of offhanded remarks, these kinds of dismissals of senators who try to raise concerns about what is proper and just.

The urgency is not affected by the fact that we must proceed properly. Perhaps the thing to do in the future is just to refuse leave and perhaps that would solve that problem.

**Hon. Jane Cordy:** Honourable senators, I think we all understand that there are people in some communities in Canada who are suffering, particularly those who rely on the forestry industry and manufacturing, which has already been mentioned.

We all understand that there is a sense of urgency about this particular bill. When I read through it quickly, in the last two lines it talks about the time and the manner in which the Minister of Finance considers it appropriate that the funds will be distributed.

Has there been any discussion as to how rapidly this funding will go to the province and territories? If this is an urgent bill, I would find it very frustrating to have a sense of urgency both in the House of Commons and in the Senate and then to discover that in six months' time, none of the provinces or territories has received at least some of the funding — and perhaps the \$10 million that the honourable senators said would be received by all provinces and territories.

**Senator Stratton:** It is my understanding that both Saskatchewan and New Brunswick have already applied. Once an agreement has been signed, the money flows.

[*Translation*]

**Hon. Pierrette Ringuette:** Honourable senators, in light of the procedure used for the consideration of this bill, you will understand that I do not have a prepared speech. Still, I will try to describe the situation.

First, I must say that I am not impressed by our colleagues from the other place. This is in no way intended as a partisan comment. In a matter of 15 minutes or so, a bill to provide \$1 billion was introduced at first reading, received second reading, was referred to Committee of the Whole and, finally, was passed at third reading stage. I am not impressed with any of the parties, and even less with the government.

The honourable senators will recall that, in late 2005, the minority Liberal government put forward a \$1.5-billion economic development assistance program for communities. This program was abolished when the minority Conservative government took office. As a result, our communities experiencing economic hardship stopped receiving assistance from the federal government.

The honourable senators probably recall also that, in this chamber, we strongly criticized the softwood lumber agreement signed in April 2006 between the Prime Minister and the Americans, which allowed the U.S. forest industry to retain an amount of \$1 billion. That was April 2006.

• (1530)

If we look at the cuts made in that \$1.5 billion program in February 2006, we see that, two months later, in April 2006, another \$1 billion was taken away from the Canadian forestry sector and given to the competing American industry. Our forestry sector was left with \$2.5 billion to help its development.

Now, in February 2008, almost two years later, the current government is saying that it will help the forestry sector by providing \$1 billion. What does it want to achieve? What is the logic behind this? The \$1 billion is really too little and too late, because the damage to our small communities and to our forestry sector has already been done. Over 135,000 jobs related to the forestry industry were lost in our rural communities, particularly in Northern Quebec, Northern Ontario, in the whole northern region, and in part of Southern New Brunswick.

When rumours began to circulate to the effect that there “might be” some minor problems affecting the automobile industry, it did not take the government two years to react. Despite the fact that these were mere rumours, that industry received \$765 million. However, when it is the basic industry, at least in my province, that is affected, it has to wait two years. Moreover, the Americans took precedence over the Canadians in this issue, as we saw in April 2006.

When Western Canada was dealing with the issue of bovine spongiform encephalopathy, or BSE, no one in this chamber was opposed to providing assistance to that particular industry. I find it strange that, when we talk about an issue that affects primarily New Brunswick, northern Quebec and northern Ontario, we have to wait two years. When a program is about to be implemented, we are told that it will not be based on the number of jobs lost but, rather, on a per capita basis.

Therefore, even if Alberta and British Columbia are telling Canada and the world that they are looking for workers, they still qualify more easily for assistance than the provinces that really need help, given the program that is being proposed.

**An Hon. Senator:** This is absurd!

**Senator Ringuette:** Exactly, honourable senators, it is absurd. When the West has problems, the government comes up with an aid program right away, but when problems surface in Northern Ontario, Northern Quebec or New Brunswick, the money is to be paid out per capita. That is just as unacceptable as the fact that this has taken two whole years.

First, it is unacceptable for all of the provinces to benefit from a per capita share of the subsidies even though they do not all have the same problems. It is unacceptable that premiers cannot see the impact of this program. Yes, I am a Liberal senator, but if my Liberal premier accepted \$10 million per year for three years and Alberta got \$150 million, I would protest vociferously. I would certainly not agree with him. This has nothing to do with politics;

[ Senator Ringuette ]

this is about social justice. The fact is that the federal Conservative government failed to see — was unable to see — the short-, medium- and long-term repercussions on forestry industry workers when it signed the free trade agreement with the Americans.

This is too little, too late.

What upsets me even more is seeing the members in the other place spending their time criticizing the Senate and honourable senators, but passing such a bill in only 15 minutes, a bill that widens the gap between the haves and the have-nots.

While some may say that \$1 billion is better than nothing, \$1 billion properly distributed would be even better. I hope that when the Standing Senate Committee on National Finance has studied the bill, it will produce a full report with comments, and perhaps amendments or specifications, ensuring that we, as senators, will have fulfilled our responsibility to the Canadian public.

[English]

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, when I met with the Deputy Leader of the Government in the Senate this morning, we agreed that we could move to second reading of Bill C-41 if the members of the Liberal caucus were in agreement. I assumed automatically that the government would have dealt with all of the issues and mechanics of the bill properly and that all senators would have a copy of the bill before them. I apologize for assuming that would occur. Given that this matter has moved so rapidly, I want to assure everyone that the mechanics of all bills are dealt with properly in this chamber.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I cannot disagree with the comments of the honourable senator.

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

Motion agreed to, on division, and bill read second time.

REFERRED TO COMMITTEE

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

**Hon. Terry Stratton:** Honourable senators, I move that this bill be referred to the Standing Senate Committee on National Finance.

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

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

• (1540)

## NUNAVIK INUIT LAND CLAIMS AGREEMENT BILL

### REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the seventh report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill C-11, An Act to give effect to the Nunavik Inuit Land Claims Agreement and to make a consequential amendment to another Act, with an amendment and observations), presented in the Senate on January 31, 2008.

**Hon. Joan Fraser:** Honourable senators, before moving the adoption of the report, pursuant to rule 99, I rise as Chair of the Standing Senate Committee on Legal and Constitutional Affairs to explain to the Senate the reasoning that led the committee to make one amendment to Bill C-11 and to append observations.

Bill C-11, as I am sure we are all aware, is a bill to give effect to the Nunavik Inuit Land Claims Agreement. As we know, because bills about giving effect to agreements with Aboriginal peoples have been before us in the past and will, I expect, be before us in the future, it is not our practice to reopen agreements. Your committee has not proposed to reopen this agreement.

We heard quite extensive testimony from those who negotiated the agreement and from those who will be affected by it. One of the things that became clear is that this is an immensely complicated agreement. All such agreements are complicated; this one even more than most because it involves the Inuit of Northern Quebec, of Nunavik, of Northern Labrador, of Nunavut, the Cree, and the governments of all these territories. As a result, the agreement is sufficiently complex that it passes understanding for all but a very few people who actually negotiated it. It is an immensely complex document.

This agreement was many years in negotiation. One respects the product of that work. However, your committee supported an amendment brought by Senator Watt, who, as you know, has had significant concerns about this agreement, which in no way detracts at all from the agreement or from its implementation. It does not detract or delay, but it does call for, or at least permit, depending on the parties, a fairly rigorous study to be done within 10 years. The amendment brings in two new clauses, namely, clauses 12.1 and 12.2. Clause 12.1 states:

12.1(1) Within ten years after this Act receives royal assent, a review of the implementation of this Act and the Agreement may be undertaken by Makivik.

Makivik Corporation is the official body that represents the Inuit of Quebec. The Makivik Corporation may undertake a review under this clause and may report to the minister. If it chooses to do so, then the minister must submit that report to Parliament within 15 sitting days.

Clause 12.2 states:

12.2(1) Within ten years after this Act receives royal assent, a comprehensive review of the implementation of this Act and the Agreement shall be undertaken by the Minister designated by the Governor in Council for the purposes of this Act.

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

Honourable senators, it is only fair to point out that the agreement does include provisions for implementation, plans and reviews, and whatnot, in fairly elaborate form. What is particularly interesting, however, about these amendments is the requirement that Parliament receive the reports.

Other reports, reviews and studies that may be done would be made public, but honourable senators know what often happens when things are made public in the vast avalanche of material that comes our way or is foisted upon the public every day. It gives an extra level of authority and importance to require that these reports be made to Parliament.

I would have been happy to have the mandatory review undertaken by the Auditor General of Canada, but the committee voted that it be undertaken by the minister designated by the Governor-in-Council. That is a worthwhile effort, in my view.

In addition, the committee appended short observations to its report on this bill, which essentially note how extremely complex these negotiations are and how important it is for all Canadians, not only those directly affected, that the negotiations and agreements be successfully completed. Once done, they are constitutionally protected. Your committee urges the federal government to redouble its efforts to ensure that all prospective beneficiaries of the agreements are kept fully informed, at all stages of the negotiation process, of both the specific contents of the agreement under consideration and of the procedures and consequences of the ratification process through which they express their democratic choice.

We thought it was worthwhile appending these observations because we did hear testimony, from two mayors of municipalities in the territory affected in Northern Quebec, to the effect that they had not felt fully informed through the negotiating process and that they believed that many of their constituents did not fully understand what was involved in the agreement. Of course, those were the people who were being asked to vote and to accept the agreement.

We all know that in a democratic process there will always be people who do not quite understand the full complexity and consequences of the matter upon which they are voting. We accept their votes anyway. However, that does not mean that every effort should not be made to ensure that those who will be affected by such important and complex agreements as this understand what is involved. Nothing will ever be perfect. Understanding will never be perfect, but it is our duty to try to ensure it is as complete as possible.

Honourable senators, those were the purposes of the amendment and of our observations. I note that the amendment was proposed by Senator Watt. It was based in part upon the fact that the implementation of some other agreements was not necessarily exactly as expected when the agreements were signed. The amendment was adopted on division. The general content of

the observations was agreed to by all members of the committee, although I think perhaps not every member saw every last word of the final observations. The committee was in agreement with what the observations should say, and I believe they faithfully reflect that agreement.

With those remarks, honourable senators, I commend this report for your approval and adoption.

• (1550)

**Hon. Hugh Segal:** Honourable senators, I have a question for the chair. I will be very brief, because I do not want to delay this bill at all.

In the reflection that the honourable senator and her colleagues in the committee undertook, could the chair share with us the extent to which there was concern expressed regarding the delay in funds which are desperately needed in that part of Canada that sending her report and the amended bill back to the House will, by definition, produce? Was there any concern about that or was the feeling at that time that, over the broad sweep of history, it was not all that significant to the potential recipients?

**Senator Fraser:** Of course there is concern about delay when people are expecting to receive funding. That was one of the sources of tension, as is so often the case, when your committee was deliberating. As I have said, this was a negotiation that lasted many years.

Your committee would not wish to delay anything that should proceed any longer than was necessary for us to be sure that what was being done was, while not perfect, the best achievable, given all the available circumstances.

However, I would observe that this is a very simple amendment. I am sure that third reading can occur in this chamber not on a rushed basis but with good dispatch. I see no reason why, in the House of Commons, the amendment could not be accepted rapidly. As I say, the amendment changes nothing in the agreement, in the implementation of the agreement or in the substance of the bill.

**Senator Segal:** Do I take it that the chair and her colleagues, after careful and thoughtful consideration, were comfortable that the actual provisions of the agreement would not have covered off the constructive amendment that her committee has chosen to offer?

**Senator Fraser:** As I say, my own reading is that the key difference between what is already in the agreement and what is in the amendment is the statutory requirement for the reports to be made to Parliament. I think that is important and worth doing.

**Hon. Tommy Banks:** Honourable senators, my question has two parts, the first being an assurance. If I understand this bill correctly, in effect, it ratifies an agreement, and that agreement is one which provides that the persons who are most affected by it agree to the extinguishment of their rights except to the extent that rights are set out in the agreement. In other words, those people undertake in the future not to proceed in respect of obtaining or acting upon constitutional rights other than those constitutional rights which are recited in the agreement.

If that is correct, I would seek Senator Fraser's assurance that the committee has determined, as I was unable to, that there is no disparity between the constitutional rights that obtain today with respect to those people, on the one hand, and the rights which are recited in the agreement, to which they will be restricted when this agreement becomes law.

**Senator Fraser:** This is not only in connection with this agreement but with all land claims agreements, perhaps the single most agonizing aspect of such agreements.

I should point out before I continue responding to Senator Banks' question that this agreement does not cover the whole of Nunavik; it covers the islands that run along the top of the peninsula, which are not, in fact, inhabited. Separate negotiations will address the matter of self-government on the mainland, where the people actually live, but the islands in question are used, and have been used for thousands of years, by the Inuit and to some extent by the Cree for hunting and fishing, et cetera.

It is true that this agreement contains a non-assertion clause. That means that the people who sign it agree that they will not, in future, assert constitutional rights other than those won and specified in this agreement. This is one clause in the general family of clauses known as "certainty clauses." All the land claims agreements have such a clause, and I have read them all.

May I have leave to speak for another two or three minutes?

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

**Hon. Senators:** Agreed.

**Senator Fraser:** I must tell honourable senators that, as a member of a minority myself, I found it a wrenching and tragic experience to read all those clauses and to realize that in every single case, the Aboriginal people who were to benefit from the agreements had, in exchange, agreed not to assert other constitutional rights.

The argument in favour of such clauses is that the constitutional protection in the Charter of Rights for Aboriginal rights, as distinct from many other rights, is open-ended. It does not say what they are; it just protects any and all Aboriginal rights. As we know, court cases have been brought which have sometimes led to the confirmation of rights that perhaps the drafters of the Charter had not really thought about.

The argument is that in exchange for the certainty provided for the Aboriginal peoples by the agreement, there must also be some certainty for the other parties to the agreement that there will not suddenly be a claim, a few years down the line, when perhaps a developer has been working on a new mine, for example. Many things can be done on the basis of certainty of understanding as long as there is faith that there will not be a change in the rules of the game further down the road.

This is a terrible dilemma to have to face, to say we will take the bird in the hand even if it is a sparrow, and the two in the bush might have been peacocks. However, it is a decision that many Aboriginal people, over the years of these negotiations, have made. It is a decision that was ratified overwhelmingly, in a vote,

[ Senator Fraser ]

by the people affected by this agreement. Agonizing though it is, most of the members of your committee decided that we had to respect that electoral verdict by the people whose rights were in question.

I hope that answers Senator Banks' question.

On motion of Senator Watt, debate adjourned.

[*Translation*]

### CRIMINAL CODE

#### BILL TO AMEND—THIRD READING

**Hon. Jean Lapointe** moved third reading of Bill S-213, An Act to amend the Criminal Code (lottery schemes).—(*Honourable Senator Lapointe*)

He said: Honourable senators, Bill S-213 has been passed by two different Senate committees on three occasions, and the Senate has passed it and sent it to the House of Commons twice.

• (1600)

A great deal of work has already been done in the House of Commons. The bill was at the committee stage during the last Parliament, before prorogation.

Honourable senators, I will not list the many reasons why we should pass this bill, because I have already done so on many occasions at meetings of the Senate Committee on Legal and Constitutional Affairs and in this chamber.

It is vital that we pass Bill S-213 now to allow our elected representatives to pick up where they left off in the House of Commons without wasting any time, to save human lives, prevent incredible suffering and at the same time save the provinces money, because three separate studies showed that the social costs of lottery schemes were two to five times higher than the revenues they brought in to the provinces.

Honourable senators, I therefore ask that the vote take place now.

**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?

**Hon. Senators:** Agreed.

Motion agreed to and bill read third time and passed.

**Senator Lapointe:** Honourable senators, after four and a half years of hard work, assisted by Pascal Charron, Francine Charron and a few other people, after all the energy and passion I have put into this bill, I want to thank my colleagues in all parties for not obstructing passage this time.

I will be eternally grateful to them.

[*English*]

### PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT

#### BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Stollery, for the second reading of Bill S-212, An Act to amend the Parliamentary Employment and Staff Relations Act.—(*Honourable Senator Andreychuk*)

**Hon. A. Raynell Andreychuk:** Honourable senators, I rise today to speak to Bill S-212, a bill introduced by Senator Joyal on parliamentary employment and staff relations. This same bill was introduced at a previous session, and I spoke to that bill during that session. However, I want to reiterate the remarks that I made and my support for the objectives that Senator Joyal has outlined in Bill S-212. I will, however, indicate that I think the process we will follow will determine whether legislation is needed or policy implementation. I think more careful study in the Standing Committee on Rules, Procedures and the Rights of Parliament is warranted.

I will first speak to the issue of human rights in general. While we in this chamber often pay tribute to the Charter of Rights and Freedoms, universal human rights and specific human rights legislation that has been developed over the years in Canada, we have not looked systematically at the application of these rights in the Senate of Canada. Parliamentarians are unique. While human rights legislation applies to the precinct of Parliament, nonetheless, due to parliamentary privilege, the method by which Parliament complies with human rights legislation has been within the discretion of the parliamentary legislatures, either the House of Commons or the Senate of Canada.

In our particular case within the Senate, we have employees who are caught within the definition of parliamentary privilege; we have those employees who are not within that definition, and we further have all sorts of employees, contractual or full-time, who work for individual senators. It is time, as I said previously and will reiterate, that we look at our human rights obligations to ensure that our employees have the same rights as do other Canadians, subject only to a careful study of parliamentary privilege. We should be mindful that we should not curtail employees' rights except when we believe that parliamentary privilege necessitates it.

I would remind honourable senators that motion No. 62, which I introduced in the Senate, could be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament, and I will ask to do so later today. It deals with the issue of developing a systematic process for the application of the Charter of Rights and Freedoms as it applies to the Senate of Canada. Senator Joyal's bill, Bill S-212, covers one of the gaps with employees. I believe that the motion, which could be referred to the Rules Committee, together with Senator Joyal's bill and a full

overview of employee rights and responsibilities, would be desirable to ensure that senators are mindful of, and are complying with, human rights legislation in Canada. We would then be on more solid ground when we request governments and others to comply with such rights.

Turning now to Bill S-212, our colleague Senator Joyal has pointed out a gap in the way that the employees in the Senate, the House of Commons and the Parliament of Canada are protected under the Canadian Human Rights Act. It is this gap that he hopes to close with Bill S-212.

When Senator Joyal spoke to the bill, he referred, I believe on his first occasion and perhaps even on his second occasion, to the decision of the *Vaid* case. The court had been asked, in effect, whether or not employees of Parliament were protected by the Canadian Human Rights Act.

I would like to quote the findings of the court. It stated:

The Canadian Human Rights Act applies to all employees of the federal government, including those working for Parliament. However, the fact that [*Vaid*] claims a violation of his human rights does not automatically steer the case to the Canadian Human Rights Commission. Rather, in this case, V's complaints of discrimination and harassment contrary to the provisions of the Canadian Human Rights Act arose in the context of his claim of constructive dismissal and therefore fall within the grievance procedure established under PESRA [or the Parliamentary Employment and Staff Relations Act].

The PESRA created a specific regime governing the labour relations of parliamentary employees. Its system of redress, which covers complaints about violations of statutory standards such as those found in the Canadian Human Rights Act, runs parallel to the enforcement machinery provided under the Canadian Human Rights Act. While not all potential claims to relief under the Canadian Human Rights Act would be barred by s.2 of the PESRA, there is clearly a measure of duplication in the two statutory regimes, and the purpose of s.2 of PESRA is to avoid such duplication.

Since Parliament has determined that workplace grievances of employees covered by the PESRA are to be dealt with under the PESRA, and as PESRA includes grievances related to violations of standards established by the Canadian Human Rights Act, V is obliged to seek relief under the PESRA. There is nothing in V's complaints to lift his grievance out of its specific employment context.

• (1610)

The Supreme Court of Canada found that the Human Rights Act does apply to parliamentary employees, but with parliamentary privilege, it is up to Parliament to decide how to address the implementation of human rights for parliamentary staff.

What Parliament has decided to this point is that parliamentary employees covered by PESRA who have grievances must seek redress under the existing PESRA.

[ Senator Andreychuk ]

That seems straightforward, but the situation is a little more complicated than it first appears. As Senator Joyal rightly pointed out, PESRA does not offer quite the same protection under its grievance procedure as provided under the Canadian human rights tribunals for others.

Senator Joyal emphasized that, under PESRA

... the Canadian Human Rights Commission has no standing, no right to intervene and no possibility to support the claims or grievances of the employees.

As the Supreme Court also pointed out, PESRA operates parallel to the Human Rights Act, and section 2 of PESRA ensures that there is no duplicity between the two. The relevant part of section 2 states the following:

Except as provided in this Act, nothing in any other Act of Parliament that provides for matters similar to those provided for under this Act and nothing done there under, whether before or after the coming into force of this section, shall apply to or in respect of or have any force or effect in relation to the institutions and persons described in this section.

Furthermore, the Public Service Labour Relations Act, which governs public service employees, includes a means to protect them should they have a human rights grievance. Under this act, the Canadian Human Rights Commission is called to appear and to take a stand in support of the employees who seek redress or who have a grievance to file.

There is no such requirement under PESRA. That is a problem and one that our honourable colleague has chosen to rectify legislatively through Bill S-212, which will bring about three key changes to our existing laws.

First, it will amend the parliamentary act to provide for notice to be given to the Canadian Human Rights Commission when a grievance referred to adjudication raises an issue involving the interpretation of the application of the Canadian Human Rights Act. Clearly, this will create a link between PESRA and the Human Rights Act.

Second, it will set out the powers of an adjudicator named under the Parliamentary Employment and Staff Relations Act to interpret and apply the Canadian Human Rights Act.

Third, it will repeal subsection 4.1 of the Parliamentary Employment and Staff Relations Act that gives privileges, immunities and powers referred to in the non-derogation clause, section 4 of the Parliament of Canada Act.

Honourable senators, this bill will deal specifically with the gaps that currently exist. In particular, it will ensure that employees who are covered by PESRA will have the full protection of the human rights, eliminating any discrepancies that currently exist.

Senator Joyal has chosen the legislative route in Bill S-212. I believe it warrants a study, and the gap for employees is certainly one that needs to be addressed. However, I would like to explore fully whether a legislative answer is necessary for PESRA,

while I believe it probably is for the Canadian Human Rights Act. Therefore, it is necessary to look at the act, the regulations and all other policies.

The Senate would therefore provide assurances for employees without unnecessarily yielding rights and privileges of parliamentarians.

For example, the *Vaid* decision makes it clear that it is not necessary to repeal section 4.1 of PESRA to make a link to the Canadian Human Rights Act.

Again, the Supreme Court stated clearly:

The Canadian Human Rights Act applies to all employees of the federal government, including those working for Parliament.

Of particular concern to me is curtailing privileges, immunities and powers referred to in the non-derogation clause, which may lead to a number of difficulties.

We should also note that the House of Commons' Board of Internal Economy is looking at this issue or has perhaps by now reported. I have not had the latest update.

We should be mindful of the workers and the employees within all of our respective offices so that we have a cogent way of addressing this problem.

As we take this issue on, we should consider another related issue, namely, privileged employees. Our clerks in this chamber, as well as the Black Rod, have no protection whatsoever. They are not covered under PESRA or under the Public Service Relations Act. They are within the ambit of our parliamentary privileges. Should they have a grievance from a legal standpoint, they may be amongst the least protected individuals in this country, and I believe that Senator Joyal and other members have already expressed concerns on all these issues.

We want to look at this bill systematically and at the broader issues in the Rules Committee.

Therefore, I thank Senator Joyal for his continuance and persistence in following this issue and for ensuring that we in the Senate deal with this problem of lack of full compliance with the Canadian Human Rights Act. I believe that the bill should be studied with the previous order within a broader assessment of compliance with the Charter of Rights and Freedoms and other human rights legislation.

Therefore, I reintroduced the previous order, which is later on the Order Paper, and I intend to speak much more briefly at that point as I have done so more broadly in this case.

On motion of Senator Cools, debate adjourned.

## ARTHRITIS

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau, calling the attention of the Senate to the debilitating nature of arthritis and its effect on all Canadians.—(*Honourable Senator Keon*)

**Hon. Wilbert J. Keon:** Honourable senators, I rise today to speak about arthritis, a very important subject and one that affects over 4 million Canadians over the age of 15. That would be equivalent to affecting every man, woman and child in four cities the size of Ottawa.

Arthritis causes its sufferers to live each day with gnawing, sometimes sharp and often very debilitating pain. They face real limitations that affect the decisions they make about the way they live their lives.

Some of them cannot even pry the lid off a jar of pills to relieve the pain, as the child-proof lid cannot be managed by someone whose hands do not work properly.

Contrary to a common stereotype, arthritis is not exclusively a disease of the elderly. According to the 2000 Canadian Community Health Survey, nearly three out of every five people with arthritis were younger than 65. Of course, age does play a role in the development and progression of the disease, and the report also found that the prevalence of arthritis increases with age.

• (1620)

At the end of November, when Senator Comeau spoke on this inquiry, he gave a concise picture of the ailment. As he explained, arthritis falls into two main categories. The first is osteoarthritis, the degenerative form that accounts for at least three quarters of all arthritis in adults. The second is rheumatoid arthritis, the most common inflammatory form, which can be extremely debilitating.

Senator Comeau also pointed out that arthritis, in all its forms, is the leading cause of deformity and long-term disability — a telling statistic. In the 30 years after the onset of RA, disability among sufferers can range up to 90 per cent.

Senator Tardif also spoke at length about this, as did Senator Callbeck, and I will not today repeat their very detailed comments on the burden of the disease.

The cost of this disability is borne not only by the sufferer and those close to him or her; we all end up carrying some of the burden. According to the Canadian Institutes of Health Research, the average economic cost of arthritis disability is about \$11,150 per person per year, coming from lost productivity, changing jobs, cutting work hours, or simply not going to work at all.

Everyone pays when someone suffers. The work is either taken up by a healthier worker or left undone. The result is the same: lost productivity with a higher cost for all. I remind honourable senators again that, although Canada stands about fifteenth in overall health status in the world, even worse, it stands fifteenth in productivity, and productivity and health are inseparable.

Perhaps honourable senators may not be aware that arthritis leads to more than debilitating pain, as difficult and costly as that may be. Arthritis can also result in death. In 2003, a study by the Public Health Agency of Canada found that:

In 1998, arthritis or related conditions were reported as the underlying cause in 2.4 deaths per 100,000 in Canada, making arthritis a more common underlying cause of death than melanoma, asthma or HIV/AIDS, especially among women.

Arthritis is hitting our health care system hard. Over 90 per cent of those who undergo hip or knee replacement surgery have arthritis. The waiting lists are long, as we all know, and are straining the health care system at the seams.

Furthermore, arthritis accounts for over one quarter of the total cost of musculoskeletal disease. This includes nearly one third of hospital care expenditures from musculoskeletal disease and 40 per cent of drug expenditures.

Honourable senators, how do we respond when faced with such a pervasive debilitating and costly disease? We must ensure that we develop a solid understanding of this disease — which we do not have today, I must say — and the means to prevent and to treat it. This means that we must encourage and support research on arthritis as it is the only way that we will be able to respond appropriately to the needs of Canadians.

Honourable senators are no doubt aware that a great deal of research is already taking place in the field. Through the Canadian Institutes of Health Research, our government invested over \$17 million in 2006-07 across the nation in research on arthritis. In spite of this commendable work, knowledge gaps remain, and we really fundamentally do not understand this disease.

I point honourable senators to research questions that arose from the 2005 Summit on Standards for Arthritis Prevention and Care by the Alliance for the Canadian Arthritis Program or ACAP. These questions covered areas such as arthritis awareness at the government, patient and public level; medical and health professional education; the impact of physical activity on arthritis; injury prevention; and modules of care, including access to medications and surgery.

There are also population health issues around arthritis that need to be better understood. For example, the Public Health Agency of Canada, in the 2003 study I referred to earlier, found that approximately one in five Aboriginal people suffer from arthritis. If this population group shared the same age structure as non-Aboriginal Canadians, that number would jump to 27 per cent, a great deal higher than the 16 per cent figure for the general population.

Another example arises from the statistic that two thirds of those with arthritis are women. Why does arthritis attack women and First Nations people with such vigour? Are there other population groups that are singled out for some reason? Only studying these issues will lead us to the answers.

An additional concern that has been raised by the Alliance for the Canadian Arthritis Program is the difference in access to treatment and medications across our nation. The publication from the summit in 2005 states:

Where you live can be more important in determining treatment than how sick you are. Provincial, territorial and private drug plans vary considerably in their coverage of prescription medications for arthritis, in particular those medications that are the most costly to patients. There are also regional variations in availability of chronic illness self-management strategies, rehabilitation services and surgery.

The ACAP has developed 12 general standards for the prevention and care of arthritis, identifying three as a priority. First, every Canadian must be aware of arthritis; second, all relevant health professionals must be able to perform a valid standardized, age-appropriate musculoskeletal screening assessment; third, every Canadian with arthritis must have timely and equal access to appropriate medication.

These may be useful strategies to help improve the lives of those with arthritis. To respond effectively and to ensure that resources are put to the best use, we must better understand the disease and explore strategies to deal with it. This is the only way that we will develop as-yet-unknown treatments and preventative measures. However, to respond scientifically to the prevention, management and care of this disease we need much more knowledge; knowledge that will only come through collaborative research from our scientists in Canada and the international scientific community.

We must all strengthen our resolve to support research into this disease until it is eliminated as some other terrible diseases have been in the past, such as smallpox and polio.

On motion of Senator Stratton, debate adjourned.

• (1630)

## IMPLEMENTATION OF FEDERAL ACCOUNTABILITY ACT

PROGRESS REPORT—INQUIRY—DEBATE ADJOURNED

**Hon. Donald H. Oliver** rose pursuant to notice of January 29, 2008:

That he will call the attention of the Senate to the progress that has been made on the implementation of the *Federal Accountability Act*, highlighting the status of key measures of the Act and underscoring the importance of this Act to improving responsibility and accountability in our government.

He said: Honourable senators, throughout my adult life I have had a strong interest in the role that ethics plays in politics and government. I was very proud of our government when it tabled the Federal Accountability Act as its very first bill following the January 2006 election. I was honoured to sponsor the bill when it came to the Senate and to chair the Standing Senate Committee on Legal and Constitutional Affairs as it provided one of the most thorough reviews ever of a government bill.

[ Senator Keon ]



Now, a year after the passage of the FAA, I am launching an inquiry into the implementation of the Federal Accountability Act. My intention is to show the progress made in implementing the various provisions of the act, that we all understand the status of this bill and why it will have such a powerful impact.

Canadians expect their government to run as effectively and economically as possible. They expect their government to provide full and honest value for their tax dollars. I would like to take this opportunity to thank the members of Canada's public service for their ongoing dedication to ensuring that we enjoy a government that is one of the best in the world.

I do not think I am overstating the importance of administration when I say that how a government achieves its results is just as important as the results themselves. In our Westminster parliamentary system, Parliament is the key institution of public accountability of government. It is Parliament that confers authority on the government, which must then answer to Parliament for the way it uses this authority. This accountability, so fundamental to our representative democratic system, has been strengthened through the Federal Accountability Act.

Honourable senators, I am not alone in this assessment. For example, Professor C.E.S. Franks, perhaps the most respected and knowledgeable academic on the subject of Parliament in Canada, told the Standing Senate Committee on Legal and Constitutional Affairs the following: "I consider the proposed act to be a tremendous step forward in responsibility and accountability in the Government of Canada."

Professor Franks was one of the many who came before the committee between June 2006, when it received the bill, and late October, when it reported. During that time, we met 30 times, heard 151 witnesses and sat for over 104 hours.

In December 2006, the Federal Accountability Act was passed by Parliament and proclaimed into law. A year later, on December 11, 2007, members of the Senate's National Finance Committee were given a very thorough and valuable briefing on the progress of implementing the FAA to date. I would invite all honourable senators to read the transcript of those hearings.

Honourable senators, measures in the Federal Accountability Act fall into 14 specific themes or categories, with most now in force. First and foremost, the Federal Accountability Act reformed the financing of political parties. Honourable senators will recall that Bill C-2 banned donations from unions, corporations and organizations; reduced the former \$5,000 limit for donations from individuals to \$1,100; made it illegal to give or willingly receive a cash donation of more than \$20; provided the Commissioner of Elections with more time to prosecute offences; banned parties from transferring funds to candidates directly from a trust fund; prohibited the use of trusts for political purposes; and required the disclosure of all trusts.

Those measures became law at the beginning of 2007, shortly after the bill received Royal Assent.

Bill C-2 banned secret donations to political candidates. This measure came fully into force last July 7.

The Federal Accountability Act strengthened the Office of the Ethics Commissioner. The new Conflict of Interest Act came into force on July 9, 2007, with Mary Dawson appointed to the position of Conflict of Interest and Ethics Commissioner. This enshrined into law the provisions of the Conflict of Interest and Post-Employment Code for Public Office Holders into a new Conflict of Interest Act.

Further, these provisions ensure that no prime minister can overrule the commissioner on whether he, she, or a minister or some other public office-holder has violated the act.

Also prohibited are blind management agreements, or so-called "venetian blind trusts." Public office-holders must either sell assets in an arm's length transaction or place them in a fully blind trust.

As honourable senators are aware, the bill as amended provided for a separate Ethics Officer for the Senate.

The fourth theme of the Federal Accountability Act is truth in budgeting through the creation of a Parliamentary Budget Officer. He or she will provide parliamentarians and parliamentary committees with objective analysis regarding the estimates, the nation's finances, the cost of new policy initiatives, and trends in the national economy. This new office will expand the parliamentary library's ability to provide analysis and advice to parliamentarians on fiscal and expenditure issues and thus strengthen our capacity to hold government to account.

The FAA requires departments and agencies to provide the officer with existing data necessary to fulfill his or her mandate. I am sure I am not alone in recalling how we repeatedly asked officials about expenditures related to the Canadian Firearms Program and how we repeatedly received assurances that everything was fine when clearly everything was not fine. If the Parliamentary Budget Officer had existed a decade ago, we would have been in a better position to challenge the government of the day and to possibly prevent this waste of taxpayers' dollars.

Honourable senators, in preparing for these few remarks today I met with a number of senior people, including the Parliamentary Librarian, Mr. Bill Young, and others to gain personal insight into the status of a number of these new offices created by the Federal Accountability Act.

In my view, one of the most important innovations in this act for parliamentarians is the establishment of the Parliamentary Budget Officer. I would like to say just a few more things about that particular provision because, to me, it is one of the most important.

On December 12, 2006, the Parliament of Canada Act was amended to create the position of a Parliamentary Budget Officer. The officer's mandate, under section 79.2 of the act, is to provide advice to Parliament about the state of the nation's finances, government estimates and trends in the national economy.

Upon the request of committees or members, this new officer had to undertake research of the nation's finances in the economy and the government's expenditure or the cost of any proposal that falls within the jurisdiction of Parliament.

Honourable senators, this is a huge mandate. This is new, unique empowerment for parliamentarians. This type of mandate can revolutionize the way that parliamentarians can hold the government to account. It is not just a committee, but a member can actually request that the budget officer undertake research into the nation's finances and economy or the costs of any proposals that fall within the jurisdiction of Parliament. Imagine, then, had this been available for the firearms estimates.

Several congressional systems in recent years have established their own budget officers modelled on the Congressional Budget Office in the United States. These officers are servants of Congress, which has the authority to initiate in its own right revenue and expenditure proposals. These officers also provide an independent perspective on the fiscal plans of the executive branch.

The establishment of a Canadian Parliamentary Budget Officer is unprecedented in the Westminster style of government, where the executive is part of the legislature and holds office only with the support of the legislature. Only the executive can initiate tax or spending proposals in the Westminster model of government.

Now, how does this actually work? The officer is appointed by the federal cabinet. Resources to support the individual to carry out the mandate of the legislation are to be provided by the Library of Parliament. A small staff unit of four or five experts in economics modelling and fiscal forecasting will be created to provide regular reports to Parliament on the state of the economy and the nation's finances. To avoid potential conflict between the officer and the government of the day, the work of the officer will focus on analyzing and explaining to members of Parliament the underlying assumptions and data that provide the basis of the government's annual budget. This will be brand new. It has never been done before. This approach will hopefully increase the understanding of members with respect to the recommended budget position of the government.

The remaining mandates assigned to the officer have two common characteristics. First, something happens only on the request of a member or the committee and, second, all of these functions have to be performed as in the past by the research branch of the Library of Parliament.

A second small staff unit of four or five persons will be established to provide expertise on the presentation of government's expenditure programs. This unit will coordinate with the research branch, which will continue to be the primary contact in relation to the review of expenditure estimates and the costing of proposals suggested by the committee or members.

The library will provide objective and politically neutral information and analysis to parliamentarians.

• (1640)

By locating this new parliamentary officer within the Library of Parliament and providing the resources of the library to the individual to execute the mandate in the legislation, the officer would maintain the tradition of objectivity and non-partisan analysis that would be available to all members of Parliament.

[ Senator Oliver ]

Honourable senators, in conclusion, the executive search for this person was initiated last August. Potential candidates were identified, and recommendations have been made to government for the appointment. The person may be appointed for a renewable term of up to five years but will hold that position during pleasure.

Honourable senators, I think the appointment is imminent, and when it is made it will be, in my view, the thing that will help move Canada to the front of the pack when it comes to empowering parliamentarians to do their job.

Theme five concerns making qualified government appointments. Parliament now has more say in the appointment of agents of Parliament. Measures that change the process for appointing returning officers under the Canada Elections Act are now the law. The government can no longer simply appoint persons whose only qualification is their political loyalty. Ministerial staff have lost their priority for appointments to public service positions. Amendments to create the Public Appointments Commission are in force.

The Prime Minister tried to bring the Public Appointments Commission into effect even prior to the passage of the Federal Accountability Act by naming one of Canada's most respected business people, Mr. Gwyn Morgan, to chair it for only \$1 a year. Unfortunately, when hearings were held in the other place to confirm this appointment, the opposition parties were less interested in the reform of the appointments process than they were in smearing the fine reputation of Mr. Morgan.

As those following this story will recall, Mr. Morgan's nomination was rejected by the opposition majority in the Standing Committee on Government Operations and Estimates of the other place in May 2006. As a result, the three members of the commission — all eminent Canadians — including former Liberal cabinet minister, Roy MacLaren, tendered their resignations.

However, the secretariat created to support the work of the commission has continued to do so, offering valuable assistance to the government. As well, in honouring its commitment to appoint only qualified persons to head Crown corporations and the government's many boards and commissions over the past two years, there have been more than 80 open-selection processes.

At a minimum, our government advertises these positions in the *Canada Gazette* and on the Governor-in-Council websites.

Theme six concerns cleaning up polling and advertising. Most items under this heading have been implemented already.

Statutory and policy changes have been made to require written reports as part of public opinion contracts.

**Senator Comeau:** Tell us more!

**Senator Oliver:** Public opinion research contract regulations came into effect on June 7, 2007, to prescribe the form and content of contracts and reports. It is now a matter of law that reports be provided to the library and to Archives Canada.

Departments and agencies have been directed to conduct risk-based audits of their advertising and public opinion research and processes. In addition, as committed to under the action plan, an independent adviser was appointed by the Minister of Public Works and Government Services to conduct a review of all public opinion research.

Theme seven concerns protection for whistle-blowers through the Public Servants Disclosure Protection Act. Measures to protect public servants who report wrongdoings to the federal government and penalize those who wilfully impede investigations are now in force. As well, appointments have been made to both the Office of the Public Sector Integrity Commissioner and the Public Servants Disclosure Protection Tribunal.

The eighth theme concerns expanding the scope of the Access to Information Act. Agents of Parliament, five foundations created under federal statute, seven additional parent Crown corporations — including VIA Rail and Canada Post — and wholly-owned subsidiary Crown corporations are now subject to the Access to Information Act.

Taxpayers can now find out how these organizations are spending their money. As well, the government has given federal institutions a duty to assist those making access to information requests.

**The Hon. the Speaker:** I regret to advise that Senator Oliver's time has expired.

**Senator Oliver:** Could I have an additional five minutes, honourable senators?

**Hon. Senators:** Agreed.

**Senator Oliver:** The ninth theme concerns new powers for the Auditor General who can now examine the recipients of grants and contributions. That is to say, to follow the money.

The statutory provisions set out in Bill C-2 are now in place. As we speak, the government is drafting regulations to support the Auditor General's new authority to inquire into the use of funds under federal funding agreements.

Tenth, the Federal Accountability Act includes measures to strengthen auditing and accountability within departments. In particular, the provisions of the FAA which establish deputy ministers and equivalent senior officials as accounting officers are in force. This sets out in law their accountability for certain matters before parliamentary committees and enhances the penalty for fraud under the act.

I am very pleased that this long-debated change has finally been adopted in Canada.

As honourable senators know, the Lambert Commission on financial management and accountability recommended adopting this model in the 1970s, as did Mr. Justice John Gomery in his inquiry into the sponsorship program. That is another one of Justice Gomery's recommendations made into law.

In 2005, this was also the subject of hearings by the Senate National Finance Committee. I want to clarify that the position of accounting officer in no way detracts from the responsibility of the minister. Our parliamentary system is based on ministerial responsibility.

The United Kingdom — home of our Westminster parliamentary tradition — has used an accountability officer model for over 100 years. If such a system can work successfully in the U.K., surely it can work here as well.

The FAA outlines several areas, all related to department administration, for which accounting officers are accountable before parliamentary committees.

Also now in force are Bill C-2's changes to the laws concerning the government's structures of Crown corporations. Further, there is now a requirement that each department must review at least once every five years the relevance and effectiveness of its grants and contribution programs.

The eleventh theme concerns the creation of the Director of Public Prosecutions. This provision took place upon Royal Assent in December 2006. At that time, Mr. Brian Saunders became the acting Director of Public Prosecutions. The search is under way for someone to hold the position on a more permanent basis.

The twelfth theme is ratification of the United Nations Convention against Corruption. This was done on October 2, 2007.

Theme thirteen is clearing up procurement of government contracts. Much has already been completed. The government has incorporated an overarching statement of principle with respect to procurement in the Financial Administration Act. As well, it adopted a new code of conduct for procurement this past September 19, 2007. Work is continuing on those items not yet implemented.

**Senator Comeau:** And we have only been in power for two years!

**Senator Oliver:** For example, while regulations are not yet in force to create the position of Procurement Ombudsman, work continues on their development. The government has appointed Shahid Minto, a well-respected public servant, as Procurement Ombudsman Designate. Mr. Minto is helping to set up this office and to develop the necessary regulations, procedures and processes that will allow the Procurement Ombudsman to carry out the roles of that office.

Finally, honourable senators, I turn to the subject of the Lobbyists Registration Act. In early January, Treasury Board president, Vic Toews, announced the pre-publication necessary for the coming into force of the act. As well, the government will soon launch a public selection process to find a fully qualified person to appoint to the position of Commissioner of Lobbying. This appointment will follow the approval of both Houses of Parliament and will be made once the regulations are in place and the legislation is fully brought forward.

In preparing for this speech, I also consulted with senior members of the government to obtain more current information. I know that lobbying is an important part of the FAA, and I was

able to determine that the consultation period for the regulation and lobbying act ended yesterday, February 4. The regulations will now shortly return to cabinet for final approval and publication.

Honourable senators, on November 9, 2006, during my third reading speech on the FAA —

• (1650)

**The Hon. the Speaker:** It is my duty to inform the honourable senator that his time has expired.

**Senator Comeau:** Great speech.

**Hon. Joseph A. Day:** Honourable senators, I would like to be able to ask some questions of the honourable senator, but he touched on so many different matters. There are many items with which I disagree.

Therefore, I would like to have an opportunity to review the honourable senator's speech and then bring back another point of view on some of these issues.

On motion of Senator Day, debate adjourned.

### RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

#### MOTION TO STUDY APPLICATION OF THE *CHARTER OF RIGHTS AND FREEDOMS* AS IT APPLIES TO THE SENATE—DEBATE ADJOURNED

**Hon. A. Raynell Andreychuk,** pursuant to notice of November 20, 2007, moved:

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

She said: Honourable senators, I spoke earlier today about the issue of the application of the Charter of Rights and Freedoms and other human rights legislation as it pertains to the parliamentary precinct and how that relates to parliamentary privilege.

I believe the motion before the Senate was put before this chamber earlier and referred to the Standing Committee on Rules, Procedures and the Rights of Parliament. However, due to the intervening interruption, I had to reintroduce it, and it is now before this chamber.

It has been 25 years since we introduced the Charter of Rights and Freedoms, and it would be remiss if we did not assess the practices and procedures in the Senate with the view to maximizing the Charter of Rights and Freedoms for all those who have dealings with the Senate and to all employees.

I commend both the Senate and individuals in this place for the varying practices, procedures and policies that we have put in place. However, I do not believe that it is systematic, nor have we assured ourselves that we are using the Charter of Rights and

Freedoms to its fullest potential. Therefore, I believe that there must be a new reassessment according to today's needs, understandings and court decisions. Only by doing so will we be able to assure the citizens of Canada of our complete support of the Charter of Rights and Freedoms and that we have taken all necessary steps to comply with it.

It is rather difficult to speak of what others' responsibilities are and how the Charter is one of the great accomplishments of Canada if we have not taken the time to fully implement it and to assure ourselves that it is implemented to its fullest degree in this chamber.

We had the Supreme Court of Canada's *Vaid* decision of May 20, 2005, outlining the issue of parliamentary privilege in Canada and its consequent effect on the application of the Charter of Rights and Freedoms as it applies to the House of Commons.

Honourable senators, I will not go into detail on the decision or case except to point out that the Supreme Court stated:

Legislative bodies created by the Constitution Act 1867 do not constitute enclaves shielded from the ordinary law of the land.

In the majority view, an allegation of discrimination contrary to the Charter or the Canadian Human Rights Act was not immunized by parliamentary privilege because such discriminatory conduct, if proven, would actually diminish the integrity and dignity of the House, without improving its ability to fulfill its constitutional mandate.

They further stated:

Parliamentary privilege in the Canadian context is the sum of the privileges, immunities and powers enjoyed by the Senate, the House of Commons and provincial legislative assemblies, and by each member individually, without which they could not discharge their functions.

However, in another part of their judgment they stated:

However, if the existence of the scope of a privilege has not been authoritatively established, the court will be required to test the claim against the doctrine of necessity — the foundation of all parliamentary privilege. In such a case, in order to sustain a claim of privilege, the assembly or member seeking this immunity must show that the sphere of activity for which privilege is claimed is so closely and directly connected with the fulfilment by the assembly or its members of their functions as a legislative and deliberative body, including the assembly's work in holding the government to account, that outside interference would undermine the level of autonomy required to enable the assembly and its members to do their legislative work with dignity and efficiency. Once a claim to privilege is made out, the court will not inquire into the merits of its exercise in any particular instance.

The court held that the wide-ranging privilege asserted by the appellants has not been authoritatively established in the courts of Canada or United Kingdom and is not supported as a matter of

principle by the necessity test. The court commented on the British Joint Committee Report that stated:

The dividing line between privileged and non privileged activities of each House is not easy to define. Perhaps the nearest approach to a definition is that the areas in which the court ought not to intervene extend beyond proceedings in parliament but the privileged areas must be so closely and directly connected with proceedings in parliament that intervention by the court would be inconsistent with parliament's sovereignty as a legislative and deliberative assembly.

The Supreme Court also stated:

The proper focus, in my view, is not the grounds on which a particular privilege is exercised, but the prior question of the existence and scope of the privilege asserted by the parliament in the first place.

They further underscore that:

It is a wise principle that the courts and Parliament strive to respect each other's role in the conduct of public affairs.

I believe that in order to do this in the Senate, it requires we first assess the outcome of the *Vaid* case, the practices in the Senate and that we assure ourselves that we have maximized the rights while maintaining the proper balance with parliamentary privilege in today's context. To do so in a systematic way could be an adequate defence to any incursions in the future into Senate activities. It would also give a measure of comfort and understanding to those who come in contact with the Senate, either by dealings or by employment, that we respect and enforce the Charter of Rights and Freedoms.

Honourable senators, I have moved this motion. Due to its importance and the balance between our parliamentary privileges and our need to enforce the Charter of Rights and Freedoms, I believe the Standing Committee on Rules, Procedures and the Rights of Parliament would be the appropriate place to look at this issue in-depth to examine the alternatives that might be possible or evaluate the changes that might be recommended.

It has been 25 years since the Charter of Rights and Freedoms has come into effect, and I believe we would be remiss if we did not assess the practices and procedures for all those reasons I have previously stated.

I commend the Senate on the knowledge that we have of our various practices and procedures. However, I also think this type of study and undertaking by the Standing Committee on Rules, Procedures and the Rights of Parliament would put us in line with today's needs, understandings and reassurances that the public desires and, I believe, warrants in this chamber. This motion is a companion piece to Senator Joyal's previous bill, and together we could canvass all of the issues that are pertinent.

• (1700)

I should point out that we have experts sitting at the table with us here in our chamber who have done work both within Canada and elsewhere and have published on this issue. We should avail

ourselves of their expertise and it would be timely to do so through the Standing Committee on Rules, Procedures and the Rights of Parliament.

**Hon. Anne C. Cools:** Honourable senators, I have observed that in all of the initiatives on this subject matter, very few individuals approach what I consider to be the heart of the matter; that is, the relationship between the high court of Parliament and all other courts, which are inferior. I know that lawyers wax poetically and elegantly when they cite the Supreme Court of Canada. However, we should understand clearly that relative to the high court of Parliament, the Supreme Court of Canada is an important, but an inferior court.

I have been trying to resist the temptation to speak on this question. I have succumbed; I intend to speak to it.

The real issue is the relationship between the two courts. The other important issue is who enforces what laws in which places. Could the honourable senator respond to that? I was listening attentively, hoping that that subject matter would be canvassed because I noticed that everybody avoids it assiduously. The fact is that the Supreme Court of Canada cannot enforce anything in this place.

**Senator Andreychuk:** I should say to the Honourable Senator Cools that that is precisely the reason I think that this matter should go to the Standing Committee on Rules, Procedures and the Rights of Parliament. I have not identified all of the problems or the issues; it would take too long to do so. I highlighted the one that was of particular concern to me. However, I say again that we should study this whole subject systematically, and I hope that the committee would do just that. They would identify the issues that could be studied.

I pointed out that we have experts at the table who could help us frame these issues to be discussed. Senators would be encouraged to place all the issues on the table where we can come to some conclusions and perhaps put some of these questions in modern context for the enlightenment of all of us.

I do not presume to be an expert in all of these areas. I know that Senator Cools has studied many of these issues and I would hope that she would contribute to the Rules Committee study.

**Senator Cools:** Thank you. The prerequisite to being a parliamentary authority is to be a member of Parliament, by the way. As grand as Sir Erskine May was, his books remain reference books. They are not authorities. The real authorities are always the precedents and the members speaking in their respective Houses of Parliament. May merely recorded them. I clarify that point for the sake of enhancing the debate.

This suggested study will be a fair amount of work because, for the most part, you will find that whenever the "courts" — inferior courts — enter into a case involving parliamentary privilege, often they create more problems than they have solved.

The proper relationship between the two courts has always been that one should never trench on the ground of the other. The particular case in point about which the honourable senator has spoken so eloquently was *Vaid*. There is much that needs to be analyzed in *Vaid*, to be helpful to this Parliament, to this house, or to any assembly in the country.

Therefore, I am hoping that, as the debate goes forward, we will take a serious, analytical look at the heart of the matter. It is easy to forget that the Supreme Court is a creature of Parliament. For example, the Supreme Court of Canada cannot claim to be antecedent to the BNA Act, as are the superior courts of Ontario. The fact of the matter is that an understanding of this situation will also take a profound understanding and study of the courts themselves, and the relationship of the courts to the public in respect of these issues.

I want to thank the honourable senator for her unstinting efforts in bringing forward this issue over the past couple of years.

On motion of Senator Cools, debate adjourned.

#### FOREIGN AFFAIRS AND INTERNATIONAL TRADE

##### COMMITTEE AUTHORIZED TO REFER PAPERS AND EVIDENCE ON STUDY OF BILL C-293 FROM PREVIOUS SESSION TO CURRENT STUDY

**Hon. Consiglio Di Nino**, pursuant to notice of January 31, 2008, moved:

That the papers and evidence received and taken and work accomplished by the Standing Senate Committee on Foreign Affairs and International Trade during its study of Bill C-293, An Act respecting the provision of official development assistance abroad, in the First Session of the

Thirty-ninth Parliament, be referred to the Standing Senate Committee on Foreign Affairs and International Trade for the purposes of its study, during the current session, of Bill C-293, An Act respecting the provision of official development assistance abroad.

Motion agreed to.

##### STUDY ON AFRICA—*OVERCOMING 40 YEARS OF FAILURE: A NEW ROAD MAP FOR SUB-SAHARAN AFRICA*—MOTION TO PLACE COMMITTEE REPORT TABLED DURING PREVIOUS SESSION ON ORDER PAPER—DEBATE ADJOURNED

**Hon. Consiglio Di Nino**, pursuant to notice of January 31, 2008, moved:

That the seventh report of the Standing Senate Committee on Foreign Affairs and International Trade entitled *Overcoming 40 Years Of Failure: A New Road Map For Sub-Saharan Africa*, tabled in the Senate on February 15, 2007, during the First Session of the Thirty-ninth Parliament, be placed on the Orders of the Day for consideration at the next sitting of the Senate.

On motion of Senator Cools, debate adjourned.

The Senate adjourned until Wednesday, February 6, 2008, at 1:30 p.m.

## **APPENDIX**

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

**THE SPEAKER**

The Honourable Noël A Kinsella

**THE LEADER OF THE GOVERNMENT**

The Honourable Marjory LeBreton, P.C.

**THE LEADER OF THE OPPOSITION**

The Honourable Céline Hervieux-Payette, P.C.

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**OFFICERS OF THE SENATE****CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

**LAW CLERK AND PARLIAMENTARY COUNSEL**

Mark Audcent

**USHER OF THE BLACK ROD**

Terrance J. Christopher



## THE MINISTRY

(In order of precedence)

(February 5, 2008)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Minister of Justice and Attorney General of Canada
The Hon. David Emerson	Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics
The Hon. Jean-Pierre Blackburn	Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec
The Hon. Gregory Francis Thompson	Minister of Veterans Affairs
The Hon. Marjory LeBreton	Leader of the Government in the Senate and Secretary of State (Seniors)
The Hon. Monte Solberg	Minister of Human Resources and Social Development
The Hon. Chuck Strahl	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
The Hon. Gary Lunn	Minister of Natural Resources
The Hon. Peter Gordon MacKay	Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency
The Hon. Loyola Hearn	Minister of Fisheries and Oceans
The Hon. Stockwell Day	Minister of Public Safety
The Hon. Vic Toews	President of the Treasury Board
The Hon. Rona Ambrose	President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Western Economic Diversification
The Hon. Diane Finley	Minister of Citizenship and Immigration
The Hon. Gordon O'Connor	Minister of National Revenue
The Hon. Beverley J. Oda	Minister of International Cooperation
The Hon. Jim Prentice	Minister of Industry
The Hon. John Baird	Minister of the Environment
The Hon. Maxime Bernier	Minister of Foreign Affairs
The Hon. Lawrence Cannon	Minister of Transport, Infrastructure and Communities
The Hon. Tony Clement	Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	Minister of Canadian Heritage, Status of Women and Official Languages
The Hon. Michael Fortier	Minister of Public Works and Government Services
The Hon. Peter Van Loan	Leader of the Government in the House of Commons and Minister for Democratic Reform
The Hon. Gerry Ritz	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Jay D. Hill	Secretary of State and Chief Government Whip
The Hon. Jason Kenney	Secretary of State (Multiculturalism and Canadian Identity)
The Hon. Helena Guergis	Secretary of State (Foreign Affairs and International Trade) (Sport)
The Hon. Christian Paradis	Secretary of State (Agriculture)
The Hon. Diane Ablonczy	Secretary of State (Small Business and Tourism)

## SENATORS OF CANADA

### ACCORDING TO SENIORITY

(February 5, 2008)

Senator	Designation	Post Office Address
THE HONOURABLE		
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuaq, Que.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	South Shore	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Winnipeg, Man.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.

Senator	Designation	Post Office Address
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A.A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Yoine Goldstein	Rigaud	Montreal, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Michael Fortier, P.C.	Rougemont	Town of Mount Royal, Que.
Bert Brown	Alberta	Kathyrn, Alta.

## SENATORS OF CANADA

### ALPHABETICAL LIST

(February 5, 2008)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Liberal
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Atkins, Norman K.	Markham	Toronto, Ont.	Progressive Conservative
Bacon, Lise	De la Durantaye	Laval, Que.	Liberal
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy	Alberta	Edmonton, Alta.	Liberal
Biron, Michel	Mille Isles	Nicolet, Que.	Liberal
Brown, Bert	Alberta	Kathyrn, Alta.	Conservative
Bryden, John G.	New Brunswick	Bayfield, N.B.	Liberal
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	Conservative
Carstairs, Sharon, P.C.	Manitoba	Winnipeg, Man.	Liberal
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Liberal
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy	Charlottetown	Charlottetown, P.E.I.	Liberal
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Ind. New Democrat
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Eyton, J. Trevor	Ontario	Caledon, Ont.	Conservative
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Fortier, Michael, P.C.	Rougemont	Town of Mount Royal, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Liberal
Goldstein, Yoine	Rigaud	Montreal, Que.	Liberal
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Liberal
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	Conservative
Harb, Mac	Ontario	Ottawa, Ont.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	Conservative
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Lapointe, Jean	Saurel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory, P.C.	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Milne, Lorna	Peel County	Brampton, Ont.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Moore, Wilfred P.	Stanhope St./South Shore	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	Progressive Conservative
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Oliver, Donald H.	South Shore	Halifax, N.S.	Conservative
Pépin, Lucie	Shawinigan	Montreal, Que.	Liberal
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Liberal
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Independent
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Independent
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Rompkey, William H., P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.	Liberal
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Spivak, Mira	Manitoba	Winnipeg, Man.	Independent
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Liberal
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Liberal
Zimmer, Rod A.A.	Manitoba	Winnipeg, Man.	Liberal

**SENATORS OF CANADA**  
**BY PROVINCE AND TERRITORY**

(February 5, 2008)

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**ONTARIO—24**

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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C. . . . .	Pakenham . . . . .	Ottawa
2 Peter Alan Stollery . . . . .	Bloor and Yonge . . . . .	Toronto
3 Peter Michael Pitfield, P.C. . . . .	Ottawa-Vanier . . . . .	Ottawa
4 Jerahmiel S. Grafstein . . . . .	Metro Toronto . . . . .	Toronto
5 Anne C. Cools . . . . .	Toronto Centre-York . . . . .	Toronto
6 Colin Kenny . . . . .	Rideau . . . . .	Ottawa
7 Norman K. Atkins . . . . .	Markham . . . . .	Toronto
8 Consiglio Di Nino . . . . .	Ontario . . . . .	Downsview
9 John Trevor Eyton . . . . .	Ontario . . . . .	Caledon
10 Wilbert Joseph Keon . . . . .	Ottawa . . . . .	Ottawa
11 Michael Arthur Meighen . . . . .	St. Marys . . . . .	Toronto
12 Marjory LeBreton, P.C. . . . .	Ontario . . . . .	Manotick
13 Lorna Milne . . . . .	Peel County . . . . .	Brampton
14 Marie-P. Poulin . . . . .	Northern Ontario . . . . .	Ottawa
15 Francis William Mahovlich . . . . .	Toronto . . . . .	Toronto
16 Vivienne Poy . . . . .	Toronto . . . . .	Toronto
17 David P. Smith, P.C. . . . .	Cobourg . . . . .	Toronto
18 Mac Harb . . . . .	Ontario . . . . .	Ottawa
19 Jim Munson . . . . .	Ottawa/Rideau Canal . . . . .	Ottawa
20 Art Eggleton, P.C. . . . .	Ontario . . . . .	Toronto
21 Nancy Ruth . . . . .	Cluny . . . . .	Toronto
22 Hugh Segal . . . . .	Kingston-Frontenac-Leeds . . . . .	Kingston
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## SENATORS BY PROVINCE AND TERRITORY

## QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kujjuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 Marcel Prud'homme, P.C.	La Salle	Montreal
5 W. David Angus	Alma	Montreal
6 Pierre Claude Nolin	De Salaberry	Quebec
7 Lise Bacon	De la Durantaye	Laval
8 Céline Hervieux-Payette, P.C.	Bedford	Montreal
9 Lucie Pépin	Shawinigan	Montreal
10 Serge Joyal, P.C.	Kennebec	Montreal
11 Joan Thorne Fraser	De Lorimier	Montreal
12 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
13 Jean Lapointe	Saurel	Magog
14 Michel Biron	Milles Isles	Nicolet
15 Raymond Lavigne	Montarville	Verdun
16 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
17 Roméo Antonius Dallaire	Gulf	Sainte-Foy
18 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
19 Dennis Dawson	Lauzon	Ste-Foy
20 Yoine Goldstein	Rigaud	Montreal
21 Francis Fox, P.C.	Victoria	Montreal
22 Michael Fortier, P.C.	Rougemont	Town of Mount Royal
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**SENATORS BY PROVINCE-MARITIME DIVISION**


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**NOVA SCOTIA—10**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerald J. Comeau	Nova Scotia	Saulnierville
2 Donald H. Oliver	South Shore	Halifax
3 Wilfred P. Moore	Stanhope St./South Shore	Chester
4 Jane Cordy	Nova Scotia	Dartmouth
5 Gerard A. Phalen	Nova Scotia	Glace Bay
6 Terry M. Mercer	Northend Halifax	Caribou River
7 James S. Cowan	Nova Scotia	Halifax
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**NEW BRUNSWICK—10**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton
3 John G. Bryden	New Brunswick	Bayfield
4 Rose-Marie Losier-Cool	Tracadie	Bathurst
5 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
6 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
7 Pierrette Ringuette	New Brunswick	Edmundston
8 Marilyn Trenholme Counsell	New Brunswick	Sackville
9 Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
10		

**PRINCE EDWARD ISLAND—4**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy Downe	Charlottetown	Charlottetown
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**SENATORS BY PROVINCE-WESTERN DIVISION**


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**MANITOBA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak . . . . .	Manitoba . . . . .	Winnipeg
2 Janis G. Johnson . . . . .	Winnipeg-Interlake . . . . .	Gimli
3 Terrance R. Stratton . . . . .	Red River . . . . .	St. Norbert
4 Sharon Carstairs, P.C. . . . .	Manitoba . . . . .	Winnipeg
5 Maria Chaput . . . . .	Manitoba . . . . .	Sainte-Anne
6 Rod A.A. Zimmer . . . . .	Manitoba . . . . .	Winnipeg

**BRITISH COLUMBIA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Pat Carney, P.C. . . . .	British Columbia . . . . .	Vancouver
2 Gerry St. Germain, P.C. . . . .	Langley-Pemberton-Whistler . . . . .	Maple Ridge
3 Mobina S.B. Jaffer . . . . .	British Columbia . . . . .	North Vancouver
4 Larry W. Campbell . . . . .	British Columbia . . . . .	Vancouver
5 . . . . .	. . . . .	. . . . .
6 . . . . .	. . . . .	. . . . .

**SASKATCHEWAN—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 A. Raynell Andreychuk . . . . .	Saskatchewan . . . . .	Regina
2 Leonard J. Gustafson . . . . .	Saskatchewan . . . . .	Macoun
3 David Tkachuk . . . . .	Saskatchewan . . . . .	Saskatoon
4 Pana Merchant . . . . .	Saskatchewan . . . . .	Regina
5 Robert W. Peterson . . . . .	Saskatchewan . . . . .	Regina
6 Lillian Eva Dyck . . . . .	Saskatchewan . . . . .	Saskatoon

**ALBERTA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Joyce Fairbairn, P.C. . . . .	Lethbridge . . . . .	Lethbridge
2 Tommy Banks . . . . .	Alberta . . . . .	Edmonton
3 Claudette Tardif . . . . .	Alberta . . . . .	Edmonton
4 Grant Mitchell . . . . .	Alberta . . . . .	Edmonton
5 Elaine McCoy . . . . .	Alberta . . . . .	Calgary
6 Bert Brown . . . . .	Alberta . . . . .	Kathryn

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ethel Cochrane	Newfoundland and Labrador	Port-au-Port
2 William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador
3 Joan Cook	Newfoundland and Labrador	St. John's
4 George Furey	Newfoundland and Labrador	St. John's
5 George S. Baker, P.C.	Newfoundland and Labrador	Gander
6		

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams	Nunavut	Rankin Inlet

YUKON—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1		

## ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of February 5, 2008)

\*Ex Officio Member

### ABORIGINAL PEOPLES

**Chair: Honourable Senator St. Germain, P.C.**

**Deputy Chair: Honourable Senator Sibbeston**

#### Honourable Senators:

Campbell,	Gustafson,	* LeBreton, P.C. (or Comeau),	St. Germain, P.C.
Dallaire,	* Hervieux-Payette, P.C. (or Tardif),	Lovelace Nicholas,	Segal,
Dyck,	Hubley,	Peterson,	Sibbeston.
Gill,			

#### *Original Members as nominated by the Committee of Selection*

*Campbell, Carney, P.C., Dallaire, Dyck, Gill, Gustafson, \*Hervieux-Payette, P.C. (or Tardif), Hubley, \*LeBreton, P.C. (or Comeau), Lovelace Nicholas, Peterson, St. Germain, P.C., Segal, Sibbeston.*

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### AGRICULTURE AND FORESTRY

**Chair: Honourable Senator Fairbairn, P.C.**

**Deputy Chair: Honourable Senator Gustafson**

#### Honourable Senators:

Baker, P.C.,	Chaput,	* Hervieux-Payette, P.C. (or Tardif),	Mitchell,
Brown,	Fairbairn, P.C.,	* LeBreton, P.C. (or Comeau),	Segal.
Callbeck,	Gustafson,	Mercer,	

#### *Original Members as nominated by the Committee of Selection*

*Bacon, Baker, P.C., Callbeck, P.C., Carney, Cowan, Fairbairn, P.C., Gustafson, \*Hervieux-Payette, P.C. (or Tardif), \*LeBreton, P.C. (or Comeau), Mahovlich, Mercer, Peterson, Segal, St. Germain, P.C.*

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### BANKING, TRADE AND COMMERCE

**Chair: Honourable Senator Angus**

**Deputy Chair: Honourable Senator Goldstein**

#### Honourable Senators:

Angus,	Harb,	* LeBreton, P.C. (or Comeau),	Moore,
Biron,	* Hervieux-Payette, P.C. (or Tardif),	Massicotte,	Ringuette,
Eyton,	Jaffer,	Meighen,	Tkachuk.
Goldstein,			

#### *Original Members as nominated by the Committee of Selection*

*Angus, Biron, Cowan, Eyton, Fitzpatrick, Goldstein, Grafstein, Harb, \*Hervieux-Payette, P.C. (or Tardif), \*LeBreton, P.C. (or Comeau), Massicotte, Meighen, Ringuette, Tkachuk.*

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**CONFLICT OF INTEREST FOR SENATORS**
**Chair: Honourable Senator Joyal, P.C.****Deputy Chair: Honourable Senator Andreychuk****Honourable Senators:**

Andreychuk, Angus,	Carstairs, P.C.,	Joyal, P.C.,	Robichaud, P.C.
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*Original Members agreed to by Motion of the Senate*  
*Andreychuk, Angus, Carstairs, P.C., Joyal, P.C., Robichaud, P.C.*

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**ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES**
**Chair: Honourable Senator Banks****Deputy Chair: Honourable Senator Nolin****Honourable Senators:**

Adams, Banks, Brown, Campbell,	Cochrane, * Hervieux-Payette, P.C. (or Tardif), Kenny, * LeBreton, P.C. (or Comeau),	Milne, Mitchell, Nolin,	Sibbeston, Spivak, Trenholme Counsell.
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*Original Members as nominated by the Committee of Selection*  
*Adams, Banks, Brown, Campbell, Cochrane, \*Hervieux-Payette, P.C. (or Tardif), Kenny,  
 \*LeBreton, P.C. (or Comeau), Milne, Mitchell, Nolin, Sibbeston, Spivak, Trenholme Counsell.*

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**FISHERIES AND OCEANS**
**Chair: Honourable Senator Rompkey, P.C.****Deputy Chair: Honourable Senator Cochrane****Honourable Senators:**

Adams, Campbell, Cochrane, Comeau,	Cowan, Gill, * Hervieux-Payette, P.C. (or Tardif), Hubley,	Johnson, * LeBreton, P.C. (or Comeau), Meighen,	Robichaud, P.C., Rompkey, P.C., Watt.
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*Original Members as nominated by the Committee of Selection*  
*Adams, Campbell, Cochrane, Comeau, Cowan, Gill, \*Hervieux-Payette, P.C. (or Tardif), Hubley,  
 Johnson, \*LeBreton, P.C. (or Comeau), Meighen, Robichaud, P.C., Rompkey, P.C., Watt.*

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**FOREIGN AFFAIRS AND INTERNATIONAL TRADE**
**Chair: Honourable Senator Di Nino****Deputy Chair: Honourable Senator Stollery****Honourable Senators:**

Corbin,	Downe,	* LeBreton, P.C. (or Comeau),	Rivest,
Dawson,	Grafstein,	Mahovlich,	Smith, P.C.,
De Bané, P.C.,	* Hervieux-Payette, P.C. (or Tardif),	Nolin,	Stollery.
Di Nino,	Johnson,		

***Original Members as nominated by the Committee of Selection***

*Corbin, Dawson, De Bané, P.C., Di Nino, Downe, \*Hervieux-Payette, P.C. (or Tardif), Jaffer, Johnson, \*LeBreton, P.C. (or Comeau), Mahovlich, Nolin, Rivest, Smith, P.C., Stollery.*

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**HUMAN RIGHTS****Chair: Honourable Senator Andreychuk****Deputy Chair: Honourable Senator Jaffer****Honourable Senators:**

Andreychuk,	Jaffer,	Lovelace Nicholas,	Pépin,
Dallaire,	Kinsella,	Munson,	Poy.
* Hervieux-Payette, P.C. (or Tardif),	* LeBreton, P.C. (or Comeau),	Oliver,	

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Dallaire, \*Hervieux-Payette, P.C. (or Tardif), Jaffer, Kinsella, \*LeBreton, P.C. (or Comeau), Lovelace Nicholas, Munson, Oliver, Pépin, Poy.*

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**INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION****Chair: Honourable Senator Furey****Deputy Chair: Honourable Senator Stratton****Honourable Senators:**

Comeau,	Goldstein,	Massicotte,	Robichaud, P.C.,
Cook,	* Hervieux-Payette, P.C. (or Tardif),	Nancy Ruth,	Stollery,
Cowan,	Jaffer,	Phalen,	Stratton.
Downe,	Kinsella,	Prud'homme, P.C.,	
Furey,	* LeBreton, P.C. (or Comeau),		

***Original Members as nominated by the Committee of Selection***

*Comeau, Cook, Cowan, Downe, Furey, Goldstein, \*Hervieux-Payette, P.C. (or Tardif), Jaffer, Kinsella, \*LeBreton, P.C. (or Comeau), Massicotte, Nancy Ruth, Phalen, Prud'homme, P.C., Robichaud, P.C., Stollery, Stratton.*

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**LEGAL AND CONSTITUTIONAL AFFAIRS**
**Chair: Honourable Senator Fraser****Deputy Chair: Honourable Senator Andreychuk****Honourable Senators:**

Andreychuk,	Fox, P.C.,	* LeBreton, P.C. (or Comeau),	Oliver,
Baker, P.C.,	Fraser,	Merchant,	Stratton
Carstairs, P.C.,	* Hervieux-Payette, P.C. (or Tardif),	Milne,	Watt.
Di Nino,	Joyal, P.C.,		

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Baker, P.C., Bryden, Carstairs, P.C., Di Nino, Fraser, Furey,  
\*Hervieux-Payette, P.C. (or Tardif), Joyal, P.C., \*LeBreton, P.C. (or Comeau),  
Milne, Oliver, Stratton, Watt.*

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**LIBRARY OF PARLIAMENT (Joint)****Joint Chair: Honourable Senator Trenholme Counsell****Honourable Senators:**

Lapointe,	Oliver,	Rompkey, P.C.,	Trenholme Counsell.
Murray, P.C.,			

***Original Members agreed to by Motion of the Senate***

*Lapointe, Murray, P.C., Oliver, Rompkey, P.C., Trenholme Counsell.*

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**NATIONAL FINANCE****Chair: Honourable Senator Day****Deputy Chair: Honourable Senator Stratton****Honourable Senators:**

Biron,	De Bané, P.C.,	* Hervieux-Payette, P.C. (or Tardif),	Nancy Ruth,
Chaput,	Di Nino,	* LeBreton, P.C. (or Comeau),	Ringuette,
Cowan,	Eggleton, P.C.,	Murray, P.C.	Stratton.
Day,			

***Original Members as nominated by the Committee of Selection***

*Biron, Cowan, Day, De Bané, P.C., Di Nino, Eggleton, P.C., \*Hervieux-Payette, P.C. (or Tardif),  
\*LeBreton, P.C. (or Comeau), Mitchell, Moore, Murray, P.C., Nancy Ruth, Ringuette, Stratton.*

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**NATIONAL SECURITY AND DEFENCE**
**Chair: Honourable Senator Kenny****Deputy Chair: Honourable Senator Tkachuk****Honourable Senators:**

Banks,	Kenny,	Mitchell,	Tkachuk,
Day,	* LeBreton, P.C. (or Comeau),	Moore,	Zimmer.
* Hervieux-Payette, P.C. (or Tardif),	Meighen,	Nancy Ruth,	

***Original Members as nominated by the Committee of Selection***

*Atkins, Banks, Day, \*Hervieux-Payette, P.C. (or Tardif), Kenny, \*LeBreton, P.C. (or Comeau), Meighen, Moore, Nancy Ruth, Tkachuk, Zimmer.*

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**SUBCOMMITTEE VETERANS AFFAIRS****Chair: Honourable Senator Meighen****Deputy Chair: Honourable Senator Day****Honourable Senators:**

Banks,	* Hervieux-Payette, P.C. (or Tardif),	* LeBreton, P.C. (or Comeau),	Nancy Ruth.
Day,	Kenny,	Meighen,	

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**OFFICIAL LANGUAGES****Chair: Honourable Senator Chaput****Deputy Chair: Honourable Senator Champagne, P.C.****Honourable Senators:**

Champagne, P.C.,	De Bané, P.C.,	* LeBreton, P.C. (or Comeau),	Poulin,
Chaput,	Goldstein,	Losier-Cool,	Tardif.
Comeau,	* Hervieux-Payette, P.C. (or Tardif),	Murray, P.C.,	

***Original Members as nominated by the Committee of Selection***

*Champagne, P.C., Chaput, Comeau, De Bané, P.C., Goldstein, Harb, \*Hervieux-Payette, P.C. (or Tardif), \*LeBreton, P.C. (or Comeau), Losier-Cool, Murray, P.C., Tardif.*

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**RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT**
**Chair: Honourable Senator Keon****Deputy Chair: Honourable Senator Smith, P.C.****Honourable Senators:**

Andreychuk,	Corbin,	* Hervieux-Payette, P.C. (or Tardif),	Losier-Cool,
Angus,	Cordy,	Joyal, P.C.,	McCoy,
Brown,	Fraser,	Keon,	Robichaud, P.C.,
Champagne, P.C.,	Furey,	* LeBreton, P.C. (or Comeau),	Smith, P.C.
Cools,			

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Angus, Brown, Champagne, P.C., Corbin, Cordy, Fraser, Furey, Grafstein,  
\*Hervieux-Payette, P.C. (or Tardif), Joyal, P.C., Keon, \*LeBreton, P.C. (or Comeau),  
Losier-Cool, McCoy, Robichaud, P.C., Smith, P.C.*

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**SCRUTINY OF REGULATIONS (Joint)****Joint Chair: Honourable Senator Eyton****Honourable Senators:**

Bacon,	Bryden,	Harb,	Nolin,
Biron,	Eyton,	Moore,	St. Germain, P.C.

***Original Members as agreed to by Motion of the Senate***

*Biron, Bryden, Cook, Eyton, Harb, Moore, Nolin, St. Germain, P.C.*

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**SELECTION****Chair: Honourable Senator Segal****Deputy Chair: Honourable Senator Cowan****Honourable Senators:**

Bacon,	Fraser,	Nancy Ruth,	Stratton,
Cowan,	* Hervieux-Payette, P.C. (or Tardif),	Robichaud, P.C.,	Tkachuk.
Fairbairn, P.C.,	* LeBreton, P.C. (or Comeau),	Segal,	

***Original Members agreed to by Motion of the Senate***

*Bacon, Cowan, Fairbairn, P.C., Fraser, \*Hervieux-Payette, P.C. (or Tardif),  
\*LeBreton, P.C. (or Comeau), Nancy Ruth, Robichaud, P.C., Segal, Stratton, Tkachuk.*

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**SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY**
**Chair: Honourable Senator Eggleton, P.C.****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

Brown,	Cook,	* Hervieux-Payette, P.C. (or Tardif),	Munson,
Callbeck,	Cordy,	Keon,	Pépin,
Champagne, P.C.,	Eggleton, P.C.,	* LeBreton, P.C. (or Comeau),	Trenholme Counsell.
Cochrane,	Fairbairn, P.C.,		

***Original Members as nominated by the Committee of Selection***

*Brown, Callbeck, Champagne, P.C., Cochrane, Cook, Cordy, Eggleton, P.C., Fairbairn, P.C.,  
\*Hervieux-Payette, P.C. (or Tardif), Keon, \*LeBreton, P.C. (or Comeau),  
Munson, Pépin, Trenholme Counsell.*

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**SUBCOMMITTEE ON CITIES****Chair: Honourable Senator Eggleton, P.C.****Deputy Chair: Honourable Senator Champagne, P.C.****Honourable Senators:**

Champagne, P.C.,	Eggleton, P.C.,	Keon,	Munson,
Cordy,	* Hervieux-Payette, P.C. (or Tardif),	* LeBreton, P.C. (or Comeau),	Trenholme Counsell.

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**SUBCOMMITTEE ON POPULATION HEALTH****Chair: Honourable Senator Keon****Deputy Chair: Honourable Senator Pépin****Honourable Senators:**

Brown,	Cook,	* Hervieux-Payette, P.C. (or Tardif),	* LeBreton, P.C. (or Comeau),
Callbeck,	Fairbairn, P.C.,	Keon,	Pépin.
Cochrane,			

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**TRANSPORT AND COMMUNICATIONS****Chair: Honourable Senator Bacon****Deputy Chair: Honourable Senator Oliver****Honourable Senators:**

Adams,	Fox, P.C.,	Mercer,	Phalen,
Bacon,	* Hervieux-Payette, P.C. (or Tardif),	Merchant,	Tkachuk,
Dawson,	Johnson,	Oliver,	Zimmer.
Eyton,	* LeBreton, P.C. (or Comeau),		

***Original Members as nominated by the Committee of Selection***

*Adams, Bacon, Dawson, Eyton, Fox, P.C., \*Hervieux-Payette, P.C. (or Tardif), Johnson, \*LeBreton,  
P.C. (or Comeau), Mercer, Merchant, Oliver, Phalen, Tkachuk, Zimmer.*

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**AGING (SPECIAL)****Chair: Honourable Senator Carstairs, P.C.****Deputy Chair: Honourable Senator Keon**Carstairs, P.C.,  
Chaput,  
Cools,Cordy,  
\* Hervieux-Payette, P.C. (or Tardif),Keon,  
\* LeBreton, P.C. (or Comeau),Mercer,  
Stratton.***Original Members as nominated by the Committee of Selection****Carstairs, P.C., Chaput, Cools, Cordy, \*Hervieux-Payette, P.C. (or Tardif),  
Johnson, \*LeBreton, P.C. (or Comeau), Mercer, Nolin.*

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**ANTI-TERRORISM (SPECIAL)****Chair: Honourable Senator Smith, P.C.****Deputy Chair: Honourable Senator Nolin**Andreychuk,  
Baker, P.C.,  
Day,Fairbairn, P.C.,  
\* Hervieux-Payette, P.C. (or Tardif),  
Jaffer,Joyal, P.C.,  
\* LeBreton, P.C. (or Comeau),  
Nolin,Segal,  
Smith, P.C.***Original Members as nominated by the Committee of Selection****Andreychuk, Day, Fairbairn, P.C., Fraser, \*Hervieux-Payette, P.C. (or Tardif), Jaffer,  
Joyal, P.C., Kinsella, \*LeBreton, P.C. (or Comeau), Nolin, Smith, P.C.*

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