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

CONTENTS

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THE SENATE

Thursday, March 13, 2008

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

Prayers.

SENATORS' STATEMENTS

LOYALTY

Hon. Bert Brown: Honourable senators, I rise to speak today about the importance of loyalties, specifically, my own loyalties.

I was proud to be elected as a Progressive Conservative Party candidate in the 2004 province-wide senatorial election. After my family, my greatest loyalty is to the hundreds of thousands of Albertans who voted for me in two successive elections.

I believe winning a province-wide election requires me to represent all Albertans, as I understand their position on issues. I am honoured to have been asked to sit in the Senate Conservative caucus meetings by Prime Minister Stephen Harper. The loyalty I owe to the Prime Minister stems from the 20 years we have both supported Senate reform.

By offering the premiers the chance to elect their own representatives to fill Senate vacancies, the Prime Minister is beginning the process that will set free the Senate of the future from the control of the leaders of the House of Commons.

• (1335)

Future senators will be able to speak for and vote for the interests of the province that elected them. The importance of loyalty to the provinces is disconnected from the loyalty to those who appointed them.

A province-wide election compels a provincial loyalty in the end. No one should know that better than Senator McCoy who ran for the leadership of the Progressive Conservative Party of Alberta and who served in cabinet. Senator McCoy sits in this chamber with a Progressive Conservative label. Over a week ago, 62 Liberal senators were outvoted by 21 Conservative senators on a bill to prevent violent crime from increasing in Canada. I will apologize willingly if I am proven wrong, but I believe I saw Senator McCoy vote with the Liberals against Bill C-2. Senator McCoy is wrong when she claims we cannot have it both ways.

Electing future senators through provincial elections disconnects them through the simple act of who signs or accepts their party affiliation: a provincial premier or a party leader in the House of Commons. Those who work for Senate elections have proposed a simple override that retains the Senate's veto and amendment powers and, ultimately, protects the supremacy of the elected representation by population in the House of Commons.

Honourable senators, we do not seek to change the honourable members who presently sit in this chamber. We do not seek to change the past, but only to change the future of this constitutionally important upper house.

ALL-PARTY PARLIAMENTARY GROUP FOR THE PREVENTION OF GENOCIDE AND OTHER CRIMES AGAINST HUMANITY

TOLERANCE CARAVAN

Hon. Yoine Goldstein: Honourable senators, the All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity will host the Caravane de la tolérance, the Tolerance Caravan, in room 256S, Centre Block, two weeks from this coming Monday. It is on March 31, 2008, the first day the Senate comes back.

This event takes place as part of the group's effort to mark the fourteenth anniversary of the Rwandan genocide that takes place the following week.

The caravan is a project of La Fondation de la tolérance, the Tolerance Foundation, a Montreal-based charitable endeavour. The foundation seeks to raise awareness about the destructive impact of discrimination and to encourage the growth of tolerance between different cultural communities. The caravan, which has both English and French versions, consists of a multimedia exhibition that travels to high schools across the country to explore the concepts of prejudice, discrimination, genocide and tolerance with Canada's young people.

Two trained hosts also accompany the display to help youth learn that natural diversity in society is good, and that only tolerance can ensure the survival of mixed communities throughout the world.

As Chair of the all-party parliamentary group, and as former Co-President of La Fondation de la tolérance, I invite each honourable senator to drop in to room 256S at some point on Monday, March 31, to see the caravan for themselves. We will also host a special reception for parliamentarians that evening. I hope honourable senators can come for the reception as well.

Since few honourable senators are present today and since many of them will forget, I will take the liberty of sending everyone an email to remind them to reserve a period of time in the course of Monday, March 31, to take a look at the Tolerance Caravan, to see what our young people are being taught and to show solidarity with this charitable and human effort that is so important for all Canadians.

• (1340)

KIDNEY DISEASE

ORGAN DONATION

Hon. Marie-P. Poulin: Honourable senators, today, about 14 Canadians will learn that their kidneys have failed. That number will be added to the mounting toll of a disease that shows no signs of abating. In fact, given our lifestyles, the situation is becoming worse.

However, among some unsettling numbers to which I shall refer in a moment, there is hope. That hope comes from advancements in medical research and treatments, and selfless individuals who donate their organs so others might live.

Today, one man's prospects have improved dramatically because of achievements in those areas. Justin Poy received a kidney transplant from his mother yesterday, our very own friend and colleague, the Honourable Senator Vivienne Poy.

Senator Poy is to be commended for her generosity and courage in giving a part of herself in a tangible gesture of motherly love. She is an inspiration for us all and a reminder that many lives might be saved and suffering alleviated if we would sign organ donor cards. Let us speak to our loved ones about wishing to be an organ donor.

I am pleased to report to this chamber that Senator Poy and her son are in satisfactory condition recovering from yesterday's surgery in a Toronto hospital.

Honourable senators, coincidentally, today is the third World Kidney Day and this month, March, is also commemorated as Kidney Health Month in Canada. These events are a time to reflect on the life-threatening afflictions caused by kidney disease that can strike anyone at any age.

Without properly functioning kidneys, a person can die within days. Kidneys produce hormones that regulate important bodily functions such as blood pressure as well as the level of water and minerals in the body.

An estimated 2 million Canadians have kidney disease or are at risk. As of December 2005, more than 32,000 Canadians were on renal replacement therapy. That number is expected to double over the next 10 years. Of the approximate 4,000 Canadians on the waiting list for an organ transplant in December 2006, more than 3,000 — some 75 per cent — were waiting for a kidney donation. Interestingly, of the 1,202 kidney transplants performed in 2006, 40 per cent were from living donors. That is an encouraging figure, but there is plenty of room for improvement.

Honourable senators, the incidence of kidney disease will not go away by itself; action is needed.

[Translation]

FRANCE-CANADA SYMPOSIUM

FOUR HUNDREDTH ANNIVERSARY OF QUEBEC

Hon. Maria Chaput: Honourable senators, Canada and France have a very close relationship, given the history of our two countries, the language we share, as well as our humanist, liberal and democratic values. The France-Canada Symposium, held this past weekend in Paris, explored the mark France has left on Canada, 400 years after the foundation of Quebec City. I would like to thank Senator Serge Joyal, who planned and coordinated this project, which spanned two continents. I would also like to thank him for inviting me, and I congratulate him on the success of the event.

At their meeting, Canadian and French professors and diplomats discussed various historical, philosophical, cultural and political issues, looking closely at France's role in the development of Canada, and its influence on our inherited traditions and culture. Because of France's influence on the French language, philosophy and political thinking, France and Canada still have much in common, although the two countries have developed independently for hundreds of years.

John Ralston Saul pointed this out in his presentation concerning the evolution of Canada and France towards a social model based on humanist values. Our values, our language and our culture will ensure that Canada and France will be partners for centuries to come.

Ottawa will host the next Canada-France Symposium on November 14 and 15, 2008, which will be held in the Senate. It will be an opportunity to continue examining the mark France has left on Canada by looking at cultural exchanges and political and economic issues of the 21st century.

• (1345)

The connections we maintain with France are very precious, and, as a Manitoba francophone and a French Canadian, I hope to be able to deepen my connection to my ancestors' homeland.

I would like to conclude my brief statement with a quotation from Alexis de Tocqueville that I find quite amusing:

A vanquished people . . . will gradually lose its customs, its language, and its national character . . . The die is now cast: all of North America will speak English.

That was written in 1831, but I am very pleased to say that, today, not only is the French language alive and well in North America, but France has also become an important partner for Canada, Quebec and, I truly believe, for all Canadian Francophonie.

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker *pro tempore*: Honourable senators, I would like to introduce two pages who come to us from the House of Commons.

Natalie Souloudre is studying psychology in the Faculty of Social Sciences at the University of Ottawa. Natalie is from Grasswood, Saskatchewan.

[English]

Erica Van Wyngaarden, of Calgary, Alberta, is pursuing her studies in the Faculty of Social Sciences at the University of Ottawa. Erica is majoring in International Studies and Modern Languages.

[Translation]

ROUTINE PROCEEDINGS

ROYAL ASSENT

MOTION TO SUSPEND SITTING TO AWAIT WRITTEN DECLARATION ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(i), I move:

That, if the Senate completes Orders of the Day, Inquiries, and Motions before 5 p.m. today, the sitting be suspended to reassemble at the call of the Chair, with a fifteen minute bell, for the purpose of reading a notification of Royal Assent.

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

Motion agreed to.

[English]

BUSINESS OF THE SENATE

MOTION TO PHOTOGRAPH READING OF ROYAL ASSENT DECLARATION ADOPTED

Hon. Terry Stratton: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(i), I move:

That, if Royal Assent is granted to any bills by written declaration today, a photographer be authorized in the Senate Chamber to photograph the reading of the notification of Assent.

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

Honourable senators: Agreed.

Motion agreed to.

• (1350)

[Translation]

QUESTION PERIOD

JUSTICE

CASE OF OMAR KHADR

Hon. Roméo Antonius Dallaire: Honourable senators, my question is for the Leader of the Government in the Senate. There is a young man named Ishmael Beah currently living in the United States. For three years, he was a child soldier in the

revolutionary army in Sierra Leone. During that time, he committed atrocities far worse than those Mr. Khadr, who is currently being held in Guantanamo, is being charged with.

Mr. Beah has written a book. He is living in the United States and has become an international ambassador for UNICEF. Omar Khadr is a Canadian citizen who was a child soldier at 15 and was shot twice while engaged in military operations.

Can the Leader of the Government in the Senate explain to us why the government is refusing to bring Omar Khadr back to Canada so that he can be tried in a Canadian court?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for his question. My answer today is exactly the same as the answer I have given to him on several previous occasions. Mr. Khadr faces serious charges. He has been in prison since 2002. The Government of Canada has sought and received assurances that Mr. Khadr is being treated humanely. Departmental officials have had several visits with him, and will continue to visit him.

As I have also stated on previous occasions, any questions regarding whether Canada plans to ask for the release of Mr. Khadr are premature. As the honourable senator knows, the legal process is ongoing.

Senator Dallaire: Mr. Khadr was abducted in Afghanistan and put into the Bagram detention centre, where we know torture took place. In fact, two prisoners were killed while under detention there. Yet, we permitted Mr. Khadr to be moved, still under American control, to an American jail where we know they are practicing torture beyond what human rights organizations say is permissible.

We know Mr. Khadr is a child soldier. We signed the conventions. We cannot ignore due judicial process.

As much as the Leader of the Government in the Senate gives me the same answer, I will continue to provide multiple reasons why her position is absolutely and positively ridiculous, let alone irresponsible.

Senator LeBreton: Honourable senators, our officials have carried out several visits. There is no evidence that Mr. Khadr has been tortured. He faces very serious charges. The honourable senator's interest in this matter is, from his point of view, warranted. He did not seem to have the same concern for Mr. Khadr from 2002 until 2006 when he was part of the government. However, I can understand that.

The legal process is ongoing, and there is not much more I can say about it at this time.

Senator Dallaire: I was interested in this matter before I became a senator, and I have been involved with child soldiers for nearly a decade. I attempted to change the position of the government of the time. I am now trying to do that with the current government, which says that it is more transparent, more responsible, and certainly more desirous of seeing justice done.

• (1355)

An Angus Reid poll that has just come out indicates that 41 per cent of Canadians think Mr. Khadr should be tried back here as a child soldier. Yet, 41 per cent said no, that maybe he should be in Afghanistan. With figures like that, the leader's government could even be elected to a majority.

Senator LeBreton: Honourable senators, that poll means that 60 per cent disagree; 60 per cent think that he should not be brought back. Public opinion polls conducted on issues such as this, can be influenced on how the question was posed. I have not seen it.

The fact is that Mr. Khadr faces serious charges. As I mentioned the other day, the Khadr family have had an interesting history. The Canadian authorities have been in contact with him. There is no reason to believe that he is being mistreated. We shall just let the court proceedings proceed in the way they normally proceed.

THE ENVIRONMENT

CLIMATE CHANGE—PLAN PROPOSED IN 2006

Hon. Lorna Milne: Honourable senators, my question is for the Leader of the Government in the Senate. Today it is a fairly simple question. It is my understanding that, in early 2006, Environment Canada put before this government a plan for a climate agency that would bring about “cost-effective transformational change.” It was killed by the Conservatives in favour of the approach we have seen since then: Do nothing, and if you do decide to do something, inch forward, but go really slow. Dozens of climate change programs were actually cancelled.

Can the Leader of the Government in the Senate provide any proof to honourable senators that the 2006 plan put forward by Environment Canada proposing an effective climate agency was actually read by any member of the cabinet before it was dismissed by this government?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the fact of the matter is that we are committed to implementing our own plan, Turning the Corner, which will ensure significant reductions in Canada's greenhouse gas emissions by an absolute 20 per cent by 2020, and a long-term goal of 60 to 70 per cent by 2050. Our plan uses the polluter-pay principle, where those responsible for emissions are accountable for their own reductions.

We have made it clear many times in the past that we will not use public revenues to purchase emission reductions, especially international credits. As the senator knows, the 2006 report of the former Commissioner of the Environment, Johanne G  linas, pointed out the many problems encountered by the previous government, which I do not need to go into here. We released this week our new plan and, interestingly enough, this is the first question I have had on the environment since its release. I can understand that, because the NDP opposition in the other place gave the Liberal opposition a perfect opportunity to vote against the government's plan in that they had an opposition motion that

was basically the Liberal environment plan. Of course, what did the Liberals do? They voted against it. I appreciate their support for our new plan.

Senator Milne: I suppose I must thank the leader for that response. Even she must realize that the Liberals had an effective plan in place to fight climate change, yet the government's first reaction was to systematically dismantle the Liberal program for purely ideological and political reasons.

The leader's government was told, in 2006, that the plan had the potential to bring about significant, cost-effective transformational change in Canadian society, but despite this advice, the government went ahead and trashed it, favouring instead an approach now described as pathetic and superficial. Mr. Baird has done his “I am lion, hear me roar” routine on environmental regulations, but it has amounted to his usual pitiful squeak.

Why did this government dismantle an effective climate-change framework while professing to be in search of its own Turning the Corner plan, a made-in-Canada plan?

• (1400)

Senator LeBreton: We have taken this approach precisely because all that was done in the past was a bunch of talk. The previous government had all kinds of plans, but plans are not action. It was easy to talk about it; it was quite another matter to implement it.

However, I may offend Senator Milne as I read from my notes what we have actually done on the environment.

On December 10, 2007, while he was attending the United Nations Convention on Climate Change in Indonesia, the Minister of the Environment announced that our government will be investing \$85.9 million over four years to help Canadians adapt to climate change. Minister Baird made this announcement on behalf of Ministers Lunn, Strahl, and Clement, as well as himself.

Our funding plan to adapt to climate change includes \$15 million for research to improve climate change scenarios; \$14 million for a program to assist northerners in assessing key vulnerabilities and opportunities for adaptation; \$7 million for climate change and health adaptation in northern and Inuit communities; \$14.9 million for Health Canada and the Public Health Agency to work with partners to develop pilot climate and infectious disease alert and response systems to protect the health of Canadians from the impacts associated with the changing climate; and \$35 million for risk-management tools for adaptation at Natural Resources and to support the development and implementation of regional programs.

The government is committed to its Turning the Corner plan which, as I said earlier, will ensure the significant reduction of Canada's greenhouse gas emissions by an absolute 20 per cent by 2020 and a long-term goal of 60 to 70 per cent by 2050.

Minister Baird made his announcement earlier this week, and this is the first question I have received on the environment, which I find most interesting.

Senator Milne: Minister Baird identified, I believe, 17 areas in which this so-called Turning the Corner plan was to work. The plan only addressed two of those areas. In fact, his plan for reduction from the oil sands project will actually result in the doubling of emissions by 2018. That is a disgrace.

Senator Mercer: It is.

Senator LeBreton: That was not a question, but it will give me a chance to finish my list. I will read more about what we did in Budget 2008. That was just the adaptation funding plan.

Budget 2008 builds on the many environmental initiatives our government has taken over the last two years. These include: investment in public transit and the development of more fuel-efficient vehicles; \$66 million over two years to set up key features of our plan to implement binding regulations on greenhouse gas emissions and air pollutants across all major industrial sectors —

Some Hon. Senators: More, more!

Some Hon. Senators: Oh, oh!

The Hon. the Speaker *pro tempore*: Order, please.

Senator LeBreton: Two hundred fifty million dollars has been allocated for three carbon-capture and storage demonstration and research initiatives. We are also increasing the capital cost allowance rate for carbon dioxide pipelines to provide certainty of tax treatment for companies planning investment; an expansion of an accelerated capital cost allowance for clean energy generation equipment to additional renewable energy and fuel-from-waste applications; \$10 million over two years for scientific research and analysis on biofuel emissions; GST and HST relief for land leases of wind- and solar-power projects; \$21 million over two years to support the enforcement of environmental laws; and \$12 million over two years to enhance law enforcement within our national parks.

If the honourable senator asks me another question, I have another page I can continue reading from.

An Hon. Senator: We want an election!

• (1405)

[*Translation*]

RECYCLING AUTOMOBILES

Hon. Pierrette Ringuette: Honourable senators, it is all well and good to hear this litany of project announcements, but the reality is quite different. I will give you an example, and perhaps the Leader of the Government in the Senate could think about it and provide us with a written response when we return in April.

Two years ago, the government announced a \$32 million program to recycle old cars. We approved the budget, but now, two years later, no program has been set up, there are no guidelines, and not one dollar has been allocated to this initiative.

The Leader of the Government can stand up and recite an endless litany of programs, but if that is all her government can do, then what good is that?

[*English*]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I had a hard time discerning a question there. I believe Senator Ringuette talked about the ecoAUTO Program. I actually did not understand the question. I believe it was more of a statement.

[*Translation*]

Senator Ringuette: Honourable senators, my question for the Leader of the Government in the Senate is whether she will undertake to provide me with a written response to my question.

[*English*]

Senator LeBreton: If I can find a question there, I will be happy to try and provide a written response.

[*Translation*]

OFFICIAL LANGUAGES

ACTION PLAN—EARLY CHILDHOOD INITIATIVES IN MINORITY LANGUAGE COMMUNITIES

Hon. Marilyn Trenholme Counsell: Honourable senators, my question is for the Leader of the Government in the Senate and relates to a question raised by Senator Chaput on March 5, 2008.

In her question, she asked very specifically and several times, at least six times, if preschool and pre-kindergarten services will be included in the upcoming renewal of Canada's Action Plan for Official Languages.

In her response, the Leader of the Government in the Senate did not mention, not even once, early childhood or pre-kindergarten and preschool services; that is, early childhood education in one's mother tongue and preschool francization.

My question has two parts. First of all, in light of what I just mentioned, am I right to conclude that her government is not making any commitment to francophone minority communities concerning early childhood education in French?

Second, if the Leader of the Government in the Senate has committed to ensuring early childhood educational programs in French in francophone minority communities, is this a clear and absolute indication that her government will impose quality standards — standards that have been lacking so far — on federal transfers to the provinces and territories for early childhood education and care?

[*English*]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, in the first part of the honourable senator's question she asked something along the lines of whether I could assume something. I would not assume anything. I will take Senator Trenholme Counsell's

question as notice. Her question was a rather long one with two distinct parts. I think we should await the announcement of the plan from the Minister of Heritage and also the report of the former premier of New Brunswick, Bernard Lord.

[Translation]

Senator Trenholme Counsell: Honourable senators, in my first question to the Leader of the Government in the Senate, I asked if I was right.

[English]

There is nothing of an assumption in that. I do not think we are on quite the same wave length. I am just asking if I am correct.

• (1410)

[Translation]

Can the Leader of the Government tell us whether Mr. Lord was informed of the government's concern for francophones living in minority situations? Was Mr. Lord asked to address the pre-school and early childhood periods?

[English]

Senator LeBreton: I did understand the honourable senator's first question when she asked, "Am I correct?" Obviously, the government takes very seriously our commitment, as I have said many times, both to official languages and to the rights of minorities. I have great faith in the Minister of Heritage and the work she is completing in this area, as I do in former Premier Lord's work.

However, I was not personally responsible for commissioning Bernard Lord's work. That was the responsibility of the Minister of Heritage. I will simply take the honourable senator's question as notice.

[Translation]

Senator Trenholme Counsell: Can the leader of the government tell us when Mr. Lord's report will be presented? Has the government received a copy of the report? How long must we wait before this information is published?

[English]

Senator LeBreton: Honourable senators, the report has been received. I am quite certain that, once the report has been carefully studied and the minister has had an opportunity to fashion her response, we will be receiving it in due course. I would say that the answer is, "as soon as possible."

[Translation]

ACTION PLAN

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate and follows up on Senator Trenholme Counsell's question.

The action plan expires on March 31, 2008. The next day, one million people living in official language minority communities in Canada, and their community organizations, will be left with nothing. Can the leader of the government tell us when the next action plan will be announced?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, in answer to previous questions, I think I did tell the Honourable Senator Tardif that, in Budget 2007 we put \$30 million of additional funding over two years to support minority official language communities. Therefore, Budget 2007 plus two years will be 2009. On February 15, Minister Verner announced funding for 10 specific francophone organizations to pursue programs and initiatives.

In answer to Senator Tardif's specific question, it is the same as the answer I gave to Senator Trenholme Counsell. This is an issue that we take very seriously. The government is very supportive of our official languages programs. We believe in strengthening programs in the official languages area, and with regard to official language minority rights. As to the exact date, I said "as soon as possible." I will attempt to provide a precise date, although I do not believe there is one at this moment. However, I could be wrong.

[Translation]

Senator Tardif: I appreciate the government leader's answer. Nonetheless, can she tell us whether the government has planned any compensating measures for the communities and organizations in order to offset the effects of a delay in implementing a new action plan?

• (1415)

[English]

Senator LeBreton: Honourable senators, I would have to check, but we allocated an additional \$30 million over two years. I do not believe there is a funding issue here. However, because of the honourable senator's concern, I will find out and get back to her by delayed answer.

[Translation]

Hon. Maria Chaput: My question is for the Leader of the Government in the Senate. Did I understand correctly, from her response to Senator Tardif, that a temporary funding program has been announced by her government to support these groups and organizations receiving funding from the Action Plan for Official Languages? Did I also understand there is money in place to ensure that they can continue to operate and that our groups and organizations are protected by this temporary program in place until the new plan is implemented? Is that what I am to understand?

[English]

Senator LeBreton: I did not say that; I said I was not aware. In Budget 2007, there was an additional \$30 million of funding to support official languages minority communities. I was not aware there was a funding problem, and I simply indicated to Senator Tardif that I would undertake to make inquiries about it.

[Translation]

Senator Chaput: Honourable senators, when an agreement ends on March 31, interim financial arrangements will obviously be put in place if the funding has not been renewed officially.

If the monies set aside do not help the groups funded under the agreement, I find it difficult to understand who will support them financially until a new plan is put in place.

[English]

Senator LeBreton: That is precisely why I will ascertain whether there are difficulties. I will take the question as notice.

CANADA POST

RURAL MAIL DELIVERY—SAFETY OF BOX SITES

Hon. Terry M. Mercer: Honourable senators, my question is for the Leader of the Government in the Senate. It appears that even with the large opposition to what is happening at Canada Post, the corporation continues its attack on rural communities across Canada. It seems Canada's growing-old government is asleep at the wheel again. Despite this mounting opposition from rural Canada, the dismantling of rural service continues. We continue to hear that the corporation is moving customers out of the normal roadside delivery and into community mailboxes. In some cases, these boxes are up to 10 kilometres from the people's homes.

In Fredericton's *The Daily Gleaner* yesterday — a paper I am sure that everyone here reads on a daily basis — one resident is quoted as saying she fears for her life because of the location of the mailboxes in areas prone to flooding and high traffic volume. Does that sound safe?

What can the leader tell us is being done to protect rural Canadians as well as the workers at Canada Post?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for the question. Rural mail delivery is an ongoing concern of the government. Certainly, concerns have been expressed by many members of Parliament who represent rural areas on all sides of the political spectrum.

There have been many discussions between Canada Post and the Minister of Transport. I know that some of the solutions of Canada Post, which is a standalone crown corporation, have not been satisfactory. I will obtain an update on the progress of the deliberations between the minister and the head of Canada Post.

Senator Mercer: I thank the leader for her undertaking.

Honourable senators, I am left to wonder whether Canada Post is even consulting with its customers to seek input as to how these changes are affecting service and whether Canada Post is being advised by this government of the dangers in going down this route. Who is taking care of the people?

• (1420)

The Hon. the Speaker pro tempore: I remind honourable senators that when the table officer stands up there is one minute left in Question Period.

Senator Mercer may continue his question.

Senator Mercer: Thank you, Your Honour. However, my flow has been ruined; I was in a great oratorical flow.

If Canada Post is being advised by this government of the dangers of going down this route, who is taking care of the people? For example, my own mailbox in Mount Uniacke, Nova Scotia, is two kilometres away from my residence. I do not mind that. That may be acceptable for most people right now. What about others whose mailboxes are further away and in dangerous areas? It would seem that one carrier delivering mail is better for the environment than 50 people getting into their cars and driving 10 kilometres to their mailboxes. Will the government be offering mileage incentives to residents on their income tax to compensate them, or are they afraid of abandoning their traditional base of support in rural Canada in continuing to side with their rich friends, much the same as we see in education?

Senator LeBreton: The situation that the honourable senator has described has been spoken to by members from all sides. I remember this issue when the previous government was attacked by people saying they were getting rid of rural mailboxes. I think the term the government of the day used was that they were "rationalizing the system."

This is not an acceptable situation. I will attempt to ascertain the results of the deliberations between the minister and Canada Post and provide that information to Senator Mercer.

ORDERS OF THE DAY

APPROPRIATION BILL NO. 4, 2007-08

SECOND READING

Hon. Terry Stratton moved second reading of Bill C-48, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008.

He said: Honourable senators, Appropriation Act No. 4, 2007-08 provides for the release of supply for Supplementary Estimates (B) for this year. The supplementary estimates were tabled in the Senate on February 14, 2008, and were referred to the Standing Senate Committee on National Finance. These are the final supplementary estimates for the fiscal year that ends this coming March 31. They seek Parliament's approval for \$1.3 billion of expenditures that were not sufficiently developed or known at the time of tabling the 2007-08 Main Estimates or the tabling of Supplementary Estimates (A) last fall.

This appropriation bill also provides information on increases to projected statutory spending totalling \$3 billion for a net supplementary estimates requirement of \$4.3 billion. These supplementary estimates were discussed in some detail with two Treasury Board Secretariat officials in their appearance before the Standing Senate Committee on National Finance on

February 26, 2008. We thank Mr. Alister Smith, assistant secretary of the Treasury Board's expenditure management sector; and Mr. Brian Pagan, executive director, expenditure operations and estimates division for their appearance.

• (1425)

While they could not answer all of our questions, they have been diligent in getting back to us; and our clerk, Lynn Gordon, has already circulated a fair bit of material, for which we thank her as well.

The main items for which authority is sought in this bill include: \$1.1 billion to the Department of Indian and Northern Affairs for payment to the Quebec Cree to settle implementation issues respecting the James Bay and Northern Quebec Agreement and related litigation; \$211 million to the Canadian International Development Agency for additional grants to international organizations for development assistance, programming against hunger, malnutrition and disease and international humanitarian assistance; \$163 million to support the Centres of Excellence for the Commercialization and Research program; \$150 million for the Canadian Mortgage and Housing Corporation for the expansion of market-based approaches to on-reserve housing in First Nations communities through the establishment of the First Nations Market Housing Fund; \$89 million to the Department of National Defence for increases to pay and allowances for Canadian Forces members; \$50 million for the Department of Indian and Northern Affairs to address extraordinary demands and associated evacuation costs as a result of fires and flooding, and to address the high fuel costs in First Nations communities served by diesel-generating plants; \$43 million to Treasury Board Secretariat for compensation for salary adjustments; \$41 million for the operations of the Canadian Air Transportation Security Authority; \$31 million to the Department of Indian and Northern Affairs to pay for out-of-court settlements; and \$29 million to the RCMP to address shortfalls related to the costs of providing contract policing services.

Supplementary Estimates (B) also outlined an increase of \$2.9 billion in budgetary statutory spending that was previously authorized by Parliament. Adjustments to projected statutory spending are provided for information purposes only and include: \$1.1 billion to the Newfoundland Offshore Petroleum Resource Revenue Fund from the Department of Natural Resources; \$1 billion from Health Canada for individuals infected with the hepatitis C virus through the Canadian blood supply before 1986 and after 1990; \$561 million from Agriculture and Agri-Food Canada to help producers with the transition from the current business risk programming to the new Agri-Invest Program; \$437 million in payments to the provinces under the Softwood Lumber Products Export Charge Act; \$189 million for the Newfoundland and Labrador Offshore Revenue Fiscal Equalization Offset Payments; \$63 million from Agriculture and Agri-Food Canada under the disaster relief framework that provides a coordinated process for federal, provincial and territorial governments to respond to agricultural disasters; and \$42 million to Human Resources and Skill Development Canada to support increases to the forecast of Canada Education Savings Grant payments, mainly due to the enhancements announced in the 2007 budget.

Appropriation Act No. 4, 2007-08, seeks Parliament's approval to spend \$1.3 billion in voted expenditures.

I can assure honourable senators that the spending authorized through these supplementary estimates is fully consistent with the overall planned spending for the 2007-08 fiscal year, as set out in the March 2007 budget.

Hon. Joseph A. Day: Honourable senators, first permit me to thank the honourable senator, the deputy Chair of the Standing Senate Committee on National Finance, for his comments. In effect, I adopt all the comments he made in terms of the expenditures.

Honourable senators will recall that the report in relation to the Supplementary Estimates (B) was debated and has been adopted. A lot of the information honourable senators heard today was reflected in that report.

• (1430)

The usual step at this stage in looking at the supply bill, Bill C-48, to close off this fiscal year based on the supplementary estimates is to take a look at the total amount that is claimed in asking for this chamber's permission. That amount is only the voted appropriation. It is not the other statutory amounts that appeared for information purposes in the supplementary estimates.

As the Honourable Senator Stratton has indicated, the total amount you are asked to vote on with respect to Bill C-48, flowing from the Supplementary Estimates (B), is \$1,270,760.

Honourable senators, as Chair of the Finance Committee, I look at the schedule that appears in the supplementary estimates. We knew what to expect in this bill when it arrived. I looked at the supplementary estimates and compared them to the bill that was received in this chamber yesterday. I can confirm the schedules are identical. Based on that confirmation, we have already voted on the report. I respectfully ask honourable senators to support Bill C-48.

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

An Hon. Senator: On division.

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

THIRD READING

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

Hon. Terry Stratton: With leave, now.

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

Hon. Senators: Agreed.

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

An Hon. Senator: On division.

Motion agreed to and bill read third time and passed, on division.

APPROPRIATION BILL NO. 1, 2008-09

SECOND READING

Hon. Terry Stratton moved second reading of Bill C-49, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009.

He said: Honourable senators will recall that the Main Estimates were tabled in the Senate on February 28. Appropriation Act No. 1, 2008-09 provides the government with interim spending authority to cover the period running until June, at which point the government will seek parliamentary approval for the balance of the Main Estimates.

The Main Estimates will be before the other place during this period of time for study by its committees, while here in the Senate the Main Estimates remain before the National Finance Committee throughout the year, even after we have voted on the supply bills. The National Finance Committee already had an initial meeting with two officials from the Treasury Board, Mr. Alistair Smith and Mr. Brian Pagan, this past March 4. We thank them for appearing. Senator Day has tabled a report of that meeting.

Honourable senators, the government submits estimates to Parliament in support of its request for authority to spend public funds. The Main Estimates include information on both budgetary and non-budgetary spending authorities. Parliament subsequently considers appropriation bills to authorize the spending.

The coming fiscal year's Main Estimates total \$221.4 billion. Of this amount, \$220.6 billion is for budgetary expenditures while \$857 million is for non-budgetary items.

The budgetary expenditures include the cost of servicing the public debt; operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations. The Main Estimates support the government's request for Parliament's authority to spend \$79 billion under program authorities that require Parliament's annual approval.

The balance of \$142 billion is for statutory items previously approved by Parliament. The detailed forecasts are provided for informational purposes only.

The non-budgetary items are loans, investments and advances made by the government. They represent changes in the composition of the financial assets of the Government of Canada.

Of the \$857 million of non-budgetary expenditures this year, \$61 million is to be approved through the supply process, while \$795 million was previously approved by Parliament. Together, the budgetary and non-budgetary voted spending authorities equal \$79 billion, of which \$23.4 billion is sought through Appropriation Act No. 1, 2008-09.

As I indicated earlier, authority for the balance will be sought through a second supply bill this June.

Hon. Joseph A. Day: Honourable senators, as Senator Stratton has indicated, this bill is for interim supply. We anticipate another supply bill for full supply. It is typically before us in late June. We have also been told that there will be a Supplementary Estimates (A) between now and late June to deal with the budgetary measures that were not reflected in these estimates, since the estimates were prepared before the budget came out.

Honourable senators, we had these estimates. There is a schedule in the estimates. I have looked at the schedule that appears here. The schedule is for the full year, and the schedule is reflected in Bill C-49. The schedule in the supply bill, Bill C-49, is divided into various sub-schedules.

I wanted to bring these items to honourable senators' attention to make them aware of what they are voting on. At this stage, they are asked to vote on approximately \$23 billion, out of the total amount of \$79 billion that honourable senators will be required to vote on. We are voting now on \$23 billion.

Expenditures in departments across the government are not all straight line expenditures. In other words, government does not spend one-twelfth of the full amount of their anticipated expenditure for the year each month. For that reason, the schedule that is attached, although it includes the entire year, indicates what percentage or what fraction of that entire year we are asked to make available to the various government departments.

The first sub-schedule, for example, is for almost \$15 billion. That is for a period of three months or three-twelfths. The second is for 11 months. The third sub-schedule is for seven-twelfths, and the next is for six-twelfths, five-twelfths and four-twelfths. Honourable senators can see that each department determines its needs and how quickly the department will need their funds.

As indicated, the total amount is \$23 billion, and the schedule that appears attached to Bill C-49 is the same schedule as the one that appeared in the Main Estimates 2008-09.

• (1440)

Hon. Anne C. Cools: Honourable senators, I have a comment, if I may prevail upon Senator Day for a moment. I was called out of the chamber for about five minutes, to discover upon returning that I would have missed the entire debate at second reading of Bill C-49, the supply bill. I know that the government needs these monies for a stringent timetable. I am aware that Senator Day, as Chair of the National Finance Committee, has been extremely cooperative with the government, which I respect and admire. I thank him and opposition senators for that.

All honourable senators know that these are important matters, and I would ask Senator Day whether he and the government sponsor could provide more information so that there can be a more fulsome debate on such a weighty bill, which asks the house to vote on these huge sums of money, which transcend most of the national consciousness. A part of me believes that the record should show that these questions have been dealt with exhaustively, or should at least bear an appearance of exhaustiveness, rather than show such minimal debate. It is unfair to the public, to our parties and to honourable senators to do otherwise.

Perhaps these words will be in vain but a more robust debate on the bill should be provided. Certainly, government senators could provide more information. It is very easy to say: Just pick up the estimates and read them. However, most senators are no longer reading estimates routinely. The burden falls on the few senators who do this kind of work, in particular the chair and the deputy chair. The burden on these two individual senators has been increased in recent years, so perhaps more information and debate could be forthcoming.

I look to Senator Day because I understand that he does much of the work of providing the Senate with such information on supply. However, that is not his proper role. Rather, it is the government's senators role to provide that information. Would the honourable senator comment on that? It is not a credit to this place to consider government business and supply bills in such a shallow and banal way.

Senator Day: I thank the honourable senator for her comment and question. Senator Cools is a former, long-standing member of the Standing Senate Committee on National Finance and knows the process well.

This place is in receipt of the Main Estimates for some time in advance of the arrival of the supply bill. I take it upon myself, as Chair of the Finance Committee, to compare the supply bill — Bill C-49 in this case — with the Main Estimates to ensure that there are no surprises. I rise to speak to these bills rather than simply let them pass to assure honourable senators that there are no surprises.

The contents of Bill C-49 were examined at the Standing Senate Committee on National Finance, to which the Main Estimates were referred and, more importantly, were reflected in the first interim report of the Finance Committee on the Main Estimates, which has been in this chamber for approximately one week. That report was debated and adopted. As a result, honourable senators, we have no surprises in Bill C-49 and all items were debated.

Senator Cools mentioned the Main Estimates, which contain many items for examination. To that end, the Senate has given the Main Estimates to the Standing Senate Committee on National Finance for such an examination throughout the year. The committee will continue to do its job, as was outlined in the eighth report of the committee, which was debated and adopted in this chamber.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

THIRD READING

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

Hon. Terry Stratton: Honourable senators, with leave of the Senate, and notwithstanding rule 58(1)(b), I move that this bill be read the third time now.

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

Hon. Senators: Agreed.

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

An Hon. Senator: On division.

Motion agreed to and bill read third time and passed, on division.

THE ESTIMATES, 2007-08

INTERIM REPORT OF NATIONAL FINANCE COMMITTEE ON MAIN ESTIMATES— DEBATE ADJOURNED

The Senate proceeded to consideration of the ninth report of the Standing Senate Committee on National Finance, entitled: *The Financial Security for Seniors: Entitlements and Retroactivity Provisions under the Canada Pension Plan*, presented in the Senate on March 11, 2008.

Hon. Joseph A. Day moved the adoption of the report.

He said: Honourable senators, I will be brief. The ninth report of the Standing Senate Committee on National Finance has been filed and circulated. I understand that there will be further debate, which I encourage and look forward to. I will highlight some elements of the report related to the entitlement and retroactivity issues that arise out of the Canada Pension Plan.

Honourable senators, in 2005-06, 4 million Canadians received eligible benefits under the Canada Pension Plan, totalling \$25 billion. It is a significant program that should be scrutinized from time to time. Two issues arose that are deserving of additional examination with respect to the retroactive provisions. It is estimated by the Office of the Chief Actuary that there are approximately 26,000 eligible Canada Pension Plan contributors, aged 70 and over as of July 1, 2005, who had not yet applied for retirement benefits. These seniors have paid into the Canada Pension Plan but are not receiving benefits because they have not applied. That is a serious matter.

The Canada Pension Plan is organized such that the federal and provincial governments work together to provide the program. Contributions are split 50 per cent from individuals and 50 per cent from the employer. The Province of Quebec has opted out of the federal program and runs its own program; and the differences between the two are quite striking. We have a lot to learn from their plan because they have almost 100 per cent take-up, whereas we have more than 26,000 70-plus-year-olds who have not taken up their rights under the federal plan.

The Province of Quebec has a retroactive provision such that anyone who applies and is eligible is entitled to retroactive payment of up to 60 months, or 5 years. In all other provinces under the Canada Pension Plan, the retroactive provision is for 11 months only. We naturally wonder why that is when these programs are supposed to be equivalent.

• (1450)

The other aspect of the difference is that the take-up in Quebec is almost 100 per cent, as I indicated, because the Government of Quebec is ensuring that. Quebec has a much better outreach and promotion program than does the federal government and all the other provinces. Those are two areas in which we have made recommendations to the government, and we have asked for comments on how they can improve this program in order that the federal program and other provincial programs will be much closer to that of Quebec.

Finally, I would like to bring to the attention of honourable senators that we are dealing with a huge amount of money that is being invested. The latest figure is that about \$121 billion of assets is being administered by the Canada Pension Plan Investment Board. That is an amount similar to what the Ontario Teachers' Pension Plan is using to bid for an airport in Auckland, New Zealand, and to what is being used to buy Bell Canada Enterprises.

We need to look closely at how these major sums of money are being administered and what they are being used for. I expect that in the future our Standing Senate Committee on National Finance will want to look at what are sometimes referred to as "sovereign funds." Honourable senators will recall that a major fund of a similar type was attempting to buy all port authorities along the east coast of the United States. As a result, the United States has determined that it will generate some rules with respect to how these sovereign funds can invest in American assets and the assets of American corporations, which could impact on us, since most of our major corporations are being bought out by Americans and other foreign companies.

Honourable senators, I commend this report to your attention and I look forward to debate on it.

[Translation]

Hon. Fernand Robichaud: The honourable senator mentioned in his speech that there are currently 26,000 individuals who are entitled to a retirement pension but are not receiving any benefits because they have not applied.

Does he have a breakdown by province of these 26,000 people? More specifically, does he know how many people in New Brunswick are not receiving a retirement pension to which they are entitled?

Senator Day: I thank the senator for his question. That is correct: there really are 26,000 people aged 70 and over who are entitled to this pension but have not applied for it. The number is probably higher for those between the ages of 65 and 70. I am sorry but I do not have the numbers by province.

That is a good question. It would just take a little research to obtain the answer.

[English]

Hon. Percy E. Downe: When the committee does its future study on the CPP Investment Board, will they inquire whether the board is meeting the government's structured program for

investment overseas? For example, there has been concern about foreign investment in Burma. It would be interesting to learn whether the CPP board is following the government's guidelines. Is that under consideration?

Senator Day: It had not been, but it now is. I thank the honourable senator for bringing that to my attention. As the honourable senator knows, the board is a Crown corporation. Crown corporations are normally obliged to follow our rules, but we have learned that the farther boards and agencies are from the core of government, the less they seem to follow many of the rules unless properly audited from time to time. I appreciate the honourable senator bringing that to our attention.

Senator Downe: My concern is not the direct investment of the board but secondary investment, if you will, where Canadian companies may have shares in companies operating in other countries.

Finally, is your committee considering the problem that was identified with regard to the CPP as applies to the Guaranteed Income Supplement? In 2002, 134,000 people were qualified for but not receiving the Guaranteed Income Supplement. The government has taken a number of initiatives to make the program widely known to Canadians, but the federal bureaucracy is failing to deliver what parliamentarians asked for: that low-income Canadians receive the supplement to which they were entitled. As with the CPP, there is no retroactive provision. Is the committee looking at that issue as well?

Senator Day: We had not looked into that, but the issue came up tangentially through a witness. In 2006 the federal department responsible sent out 268,000 application packages for Old Age Security, which would include the supplement if people were entitled to it, as well as CPP. Their take-up rate was only about 9 per cent for the effort they put forward at that time. That is why we recommended that they should be improving upon their efforts.

Another interesting point is that some believe that individuals are not asking for their Canada Pension Plan entitlement in order that they can receive the Guaranteed Income Supplement in addition to their Old Age Security. Others might say that is a cynical way of looking at the lack of take-up.

Senator Downe: We have heard the government brag that every auditor they hire recovers more than seven times their salary from people who are dodging income tax. However, when the Canadian government owes seniors money, they do not put the same resources into place to assist those seniors to get the money to which they are entitled. I am concerned that many of these seniors may not be capable of filling out the complicated forms or may feel uncomfortable dealing with the government and resources are not being allocated by the government to assist these people. Would the committee study that issue?

Senator Day: I thank the honourable senator for his comment. As I said, we did ask the government to report back to us on what they will do to improve this situation, and that will give us the opportunity to follow up the honourable senator's point.

[Senator Day]

[*Translation*]

Senator Robichaud: Senator Day mentioned in his report that there is a \$141 billion fund administered by this board. Is that really the case?

Senator Day: Yes, that is right.

Senator Robichaud: These monies are used to support the purchase of foreign corporations. Can the senator tell us if this board has considered purchasing RADARSAT-2, which is apparently on the market and about to be sold to foreign interests, even though many Canadians believe that the RADARSAT-2 technology should remain in Canada?

• (1500)

Senator Day: Senator Robichaud is right. The board administers funds worth \$121 billion. However, we have not looked at how it administers that money. Perhaps our committee could look into that in the future.

Hon. Roméo Antonius Dallaire: Are the funds provided for under the Canadian Forces Superannuation Act included in that amount or are they managed separately? If the funds are managed separately, is the National Finance Committee in a position to examine the pension plans of other government bodies?

Senator Day: The committee has not yet looked at the funds that way. I do not know if the fund you mentioned is included. Probably not. That fund may be administered by another board. The committee will have to look into that.

The Hon. the Speaker *pro tempore*: I regret to inform the honourable senator that his time has run out. Does he have permission to continue?

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, we will give him five more minutes.

Senator Dallaire: Honourable senators, when I was responsible for that fund — which was worth over \$31 billion at the time — it was managed by a trust. There were no government guidelines. On the contrary, occasionally, particularly when there was a deficit, people thought the federal government would come to take the money.

We are talking about amounts that exceed the usual investment limit, and we do not seem to have any influence. However, this is money coming from the federal government and managed on behalf of Canadian citizens. Is the committee chaired by Senator Day able to influence how that money is invested?

Senator Day: As I mentioned, we did not examine the problems related to the policies and regulations of each of the funds. The regulations vary from one fund to the next. For the fund in question here, the money can be used for pensions only. The government cannot use it for anything else. That is why the fund is managed by a separate board, in order to protect it. Not all the funds work the same way. We already know this. It is something we need to look into more.

[*English*]

Hon. Catherine S. Callbeck: Honourable senators, I support the motion to adopt the committee report. I want to say how pleased I am that the National Finance Committee, under the chairmanship of Senator Day, undertook to examine the important question of ensuring that all contributors under the Canada Pension Plan receive the benefits they deserve.

We know from the government's own data that many Canadians who qualify for these benefits do not receive them. Most people in this situation simply do not know that they have to apply for them. It is important to note that this situation disproportionately affects women, particularly women who spent only a few years in the workforce.

It is also important to say that this is not a partisan issue. Last fall I raised concerns in this house about the Canada Pension Plan. I can assure honourable senators that I would have made the same speech regardless of which government was in power. I am concerned about creating awareness and helping people get the benefits they paid for and belong to them.

I acknowledge the officials involved in the administration of the Canada Pension Plan. They are doing a commendable job. They appeared before the committee and provided helpful information. They have taken steps to engage in outreach. They have had some positive results, but less than was hoped for.

These efforts are to be applauded, but I think we all share the view that we want to encourage officials to do more, to be creative, to find new ways to overcome this situation where many Canadians simply do not know about their pension benefits. There was a very useful discussion in the Finance Committee, and it is my hope that this will lead to better outreach and improved take-up rates among Canadians.

Let me address the specific recommendations in the report. The committee is recommending that the government consult its provincial partners with a view to increasing the retroactivity of benefits. In many ways, the Canada Pension Plan and Quebec Pension Plan are nearly identical. The contribution rates and benefits are comparable, but when it comes to retroactivity rules, the plans are very different. The Quebec plan allows up to 60 months of retroactive benefits for people who fail to apply as soon as they become eligible. However, the Canada Pension Plan only allows 11 months of retroactive benefits, even though Canadians under that plan contribute the same as people under the Quebec plan.

Governments at both levels need to determine if the Canada Pension Plan can be improved in this regard. I am glad to see that the Finance Committee has recommended this.

While on the subject of retroactivity, let me respond to concerns about cost. The benefits we are talking about are not paid out of general government revenues; they are paid out of a separate fund consisting of contributions and investment income. The chief actuary assures us the fund is sustainable and that it contains sufficient funds to cover all liabilities. In that sense, there is no further cost in honouring retroactive claims because the funds have always been sitting there, waiting for the contributor to reach the age of eligibility.

I understand that changes along these lines need to be approached with caution and with a view to fiscal responsibility, but I do not think the question of cost is a fundamental obstacle to improving retroactivity rules.

The other recommendation from the committee is that the government examine new ways to conduct outreach activities and encourage Canadians to avail themselves of the benefits to which they are entitled. As we have heard, the Province of Quebec goes to great lengths, telephoning, even visiting homes, to ensure seniors are receiving the QPP benefits to which they are entitled.

Honourable senators, I welcome this recommendation because I believe that we have the responsibility as parliamentarians to ensure that Canadians get what they are entitled to receive. By adopting this report, we are sending a strong signal to the officials who administer the program that we want them to redouble their efforts to find new ways to improve take-up. This should be regarded not as a criticism but as reinforcement and encouragement of their commitment to good management of the plan on behalf of Canadians.

Once again, honourable senators, I thank the committee for this important report. The report will serve to encourage better outreach and improve results for Canadians as well as a means to increase awareness. We need to get the word out and to remain vigilant on this issue until the Canada Pension Plan can boast of the near 100 per cent take-up rates that the Quebec plan has achieved.

• (1510)

Hon. Jane Cordy: I thank Senator Callbeck for all the work she has done on this issue. It is an issue we have to be aware of. The Special Senate Committee on Aging has also dealt with it at a few meetings.

One thing that really bothers me is the number of Canadian seniors who are not collecting Canada Pension Plan for whatever reason. We could go into a detailed discussion about what the reasons are.

The honourable senator made reference in her speech to the fact that in Quebec — which is basically the same plan but under another name — the number of Quebecers not taking up the Quebec pension plan is low.

One thing we heard was that in Quebec they are entitled to five years' retroactive benefits, whereas in the rest of Canada — as the honourable senator mentioned in her speech — they are entitled to only 11 months. We heard some sad stories.

One I recall was of a gentleman whose wife died. The couple were only in their 30s and they had three children. He did not realize he was entitled to Canada pension benefits for his wife and his children until his children were grown.

If I recall the story correctly, he was a truck driver, and from a financial perspective, he was struggling trying to raise his three children. By the time he found out, his children were grown and he was entitled only to 11 months, which seems unfair.

[Senator Callbeck]

Does the honourable senator feel that retroactivity of five years, as they have in Quebec, would ensure that perhaps things were handled in a more “humane” way?

Senator Callbeck: I thank the honourable senator for the question. I have heard all kinds of stories similar to the one Senator Cordy talked about.

The federal government and the provinces should look seriously at the retroactivity of five years in Quebec. The rates that we pay are comparable. The benefits that we receive — whether we are in Quebec or in the rest of Canada — are comparable. The only difference is this retroactivity issue, and it is a big issue. As the honourable senator said, a lot of people miss out on it. Many of these people have low incomes.

I am pleased — actually delighted — with the recommendations that the Finance Committee has made. I hope there will be take-up on these recommendations.

Hon. Sharon Carstairs: Honourable senators, earlier this week the Special Senate Committee on Aging reported, and among our options were two of the exact options recommended in this particular report. One recommendation, of course, is to compare retroactivity between Quebec and the rest of Canada. The other was to look at the issue of people not applying, as they could, for CPP, and how we could make them more aware of their eligibility.

Clearly, I support the work of the Finance Committee. Interestingly enough, honourable senators, this is another example of committees often studying many of the same things. It seems to me that what we need in the Senate, and something we should perhaps look toward, is some kind of monitoring system of all recommendations and committee reports. This system would not only avoid duplication, but when we perhaps arrive at the same conclusion, it would give a better force and effect.

If the same recommendation comes from three, four or five committees of the Senate of Canada, then it would seem to me that the government should perhaps give the recommendation even greater weight than if it comes from only one committee of the Senate.

Hopefully, this report will be approved, but if we can say it has been approved in five different ways by the Senate of Canada, then that perhaps might require greater uptake.

There are other issues that I think are relevant to what has been reported today. For example, in our deliberations we learned that the funeral benefit — which is paid out of CPP — is \$2,500. This amount does not come close to the cost of a funeral in Canada today, which averages at about \$10,000.

More importantly, the person who receives that benefit through inheritance pays tax on it. If the father dies, the mother is already deceased and the \$2,500 benefit goes to the estate, the daughter or son who may inherit that \$2,500 is now in a situation where they have paid over \$10,000 of the funeral expenses and now pay an additional sum of money because they pay tax on the \$2,500 they have received from CPP.

This situation does not seem to me appropriate in any way, shape or form. It might be something this committee — if it continues in its deliberations and discussions with CPP — could take under consideration.

During Senator Callbeck's speech, and also in earlier comments, mention was made of the fact that some people do not go after CPP because they are afraid it may impact on their collection of the Guaranteed Income Supplement.

I congratulate the government in its most recent budget. What they did in that budget — which I think will be significant — is to increase the amount from \$500 to \$3,500 that a person who collects the Guaranteed Income Supplement can earn. As I understand it — I have not seen the rules and regulations — that increase might mean that individuals who earned only one, two, three or perhaps ten years of CPP benefits and will not reach the maximum would not necessarily become ineligible if their CPP benefit was so low as to not reach that maximum level. They reach the maximum level when they combine a maximum CPP benefit with an old age pension benefit. I do not know whether that is absolutely clear, honourable senators, but I hope it is.

In any case, it is a huge step forward. Frankly, it was going to be one of our options. We did not make it one of our options. We had to delete it from our options because the government moved in that direction. That move was a positive one and I hope it will be positive for recipients of Old Age Security, plus eligibility for CPP, plus eligibility for Guaranteed Income Supplement.

These people are the poorest of our poor. Particularly, we learned, single, senior women are the poorest of the poor. If they can, together, collect a greater amount of money, their lives will be enhanced considerably.

[Translation]

Senator Dallaire: Honourable senators, my question is a follow-up to the comments made by Senator Carstairs. It seems logical that, if different committees make the same recommendation on a given subject, an integration process would bring all this information together.

[English]

Is the honourable senator saying there is no correlation whatsoever with recommendations by the party, or one side, in order to build a picture of these recommendations that can be offered up above the individual ones?

• (1520)

Senator Carstairs: At the present time there is no such correlation. I will provide an example: The compassionate care benefit, which exists under EI benefits at this point, has been recommended by at least five committees of this Senate and has been recommended for improvements by five committees of this Senate. I am only aware of that because I have participated in most of those committees and because, as you know, palliative care and compassionate care benefits are dear to my heart.

We do not do that kind of correlation. In fact, at the last meeting of our committee, Senator Keon made the suggestion that perhaps we needed a Senate committee that would do this

kind of thing; that would consistently look at Senate committee reports and say "We have seen this one before or that one before." Perhaps we can make a report indicating that there has been recognition that this is a very serious matter by not just one committee or two, but by four or five committees of the Senate of Canada.

Senator Dallaire: Not only that but, in a proactive way, if people are going down the same road, the structure should be a guide to reinforce it. It seems to me that collating data in order to provide or disseminate it is an operational function of any organization, making it more effective. The honourable senator is saying that we have a whole bunch of individual recommendations but no structure necessarily to then amass those recommendations into an entity that can be specifically used. If that is the case, then it is a significant operational deficiency of all the work that is being completed in the Senate committees.

Senator Carstairs: I absolutely agree. In fact, I would even go a bit further. Perhaps we should do an annual audit and check off when recommendations have been acted upon and achievements made. Maybe that would be a five-year project or a 10-year project, whatever. We see that sometimes the uptake on these things is very slow.

I have to indicate very clearly that this is not just a matter for this government. This is the case for governments going back decades. I can pick out the Croll report from the early 1970s and point to a huge number of recommendations that have never been acted upon by the Government of Canada under its succession of governments.

This is not a partisan thing. This is something we should consider, as a Senate, in terms of our effectiveness as a chamber and as individual senators.

Hon. Terry Stratton: I appreciate very much everyone's comments. I think it would afford me the time now to move adjournment of the debate because I would like to look at those comments and, of course, rebut them.

On motion of Senator Stratton, debate adjourned.

NON-SMOKERS' HEALTH ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Harb, seconded by the Honourable Senator Biron, for the second reading of Bill S-223, An Act to amend the Non-smokers' Health Act.—(*Honourable Senator Hubley*)

Hon. Elizabeth Hubley: Honourable senators, I will not be speaking to Bill S-223. I move that the adjournment stand in the name of Senator Harb, and I would defer to him at this time.

Hon. Fernand Robichaud (The Hon. the Acting Speaker): May I suggest that since Senator Harb is here, he could probably move the adjournment of the debate himself.

Hon. Mac Harb: Honourable senators, I do not want to take much of the Senate's time. We have debated this issue on more than one occasion. I just wanted to thank Senator Hubley, as well as Senator Keon, and I would like to refer —

The Hon. the Acting Speaker: If Senator Harb were to speak now, it would have the effect of closing the debate. If that is the wish of honourable senators, then Senator Harb has the floor.

Senator Harb: That is my understanding. I would like to thank everyone. Since there was unanimity on this particular bill in the form of a motion that the Senate had previously passed through the other House, at this point I would like to move the referral of this bill to the committee responsible for social affairs, science and technology.

The Hon. the Acting Speaker: We will proceed to the motion for second reading first and then we will move the bill to committee.

Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Acting Speaker: It was moved by the Honourable Senator Harb, seconded by the Honourable Senator Biron, that this bill be read the second time.

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

Hon. Senators: Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

DRINKING WATER SOURCES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Corbin, for the second reading of Bill S-208, An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future.

Hon. Jeremiah S. Grafstein: Honourable senators, I would like to speak to this bill —

The Hon. the Acting Speaker: This bill has already been moved for second reading by the Honourable Senator Grafstein. If he were to speak now, that would have the effect of closing the debate on second reading.

On motion of Senator Tkachuk, debate adjourned.

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Tardif, for the second reading of Bill S-209, An Act to amend the Criminal Code (protection of children).—(*Honourable Senator Andreychuk*)

Hon. A. Raynell Andreychuk: Honourable senators, I rise today to speak to Bill S-209, which is the present form of a bill that has already been before us several times. I think it would be helpful for honourable senators to review a little of the history of the work that the Standing Senate Committee on Human Rights has undertaken, which concluded with a report entitled *Children, the Silenced Citizens*, which was filed in April of 2007.

The Standing Senate Committee on Human Rights has undertaken an exhaustive study on the UN Convention on the Rights of the Child and how it applies to Canada. We were interested to see whether the convention had been fully implemented into federal and/or provincial laws. The primary aim of the study was to determine whether Canadian children are benefiting from the UN Convention on the Rights of the Child and whether the convention has been used as a tool to address key problems facing children in this country.

With relevance to Bill S-209, the committee studied articles 19, 28, 37 and 38 and the optional protocol on the involvement of children in armed conflicts. The bill talked about adequate and fair treatment of children within the context of families and schools. I will not go into detail. I will simply refer honourable senators to our study, which was exhaustive in the study of these articles of the convention.

• (1530)

I also want to bring to the attention of honourable senators that in January 2004, the Supreme Court upheld the constitutional validity of section 43 of Canada's Criminal Code and the "reasonable chastisement" defence, which allows for the correction of children by force. That section of the Criminal Code states:

Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.

The court found that the Criminal Code provision neither violated the life, liberty and security of the person nor the equality or cruel or unusual punishment rights contained in the Charter. However, in upholding section 43, the court also narrowed the reasonable chastisement defence, specifying that physical discipline: May generally only be used by parents — although teachers may use physical discipline to remove a child from the classroom or to secure compliance; may only be used against children older than two and not yet teenagers; may not be used against children incapable of learning from it because of a disability or some other contextual factor; may only be applied if

it is minor corrective force of a transitory or trifling nature; may not involve the use of objects or blows or slaps to the head as such actions are deemed unreasonable; must be corrective and used to address actual behaviour, rather than an expression of frustration or an abuse of personality; and must be intended to restrain or control, or to express symbolic disapproval.

Therefore, if one takes into account the UN Convention on the Rights of the Child and what the Supreme Court decision of 2004 states, corporal punishment would not be allowed in layman's terms for children under the age of two or for teenagers. Therefore, those who could be subject to corporal punishment are those between the ages of two and twelve. With the list attached for reasonable force, corrective behaviour is now very limited, despite the fact that many people still believe that corporal punishment can be utilized against any or all children. The court stated that the gravity of the precipitating event is not relevant to the use of the section 43 defence and that courts will determine "reasonableness" based on an objective test with respect to the particular circumstances of the case. This leads to a very limited use and, therefore, an issue of the defence when section 43 is being used is the only issue for continued debate. Education is the key for Canadians to comply with both the convention and the Supreme Court of Canada decision.

Beyond the federal criminal law, it is important to note that the standard for foster care and the way that provincial education acts across Canada deal with physical discipline in the classroom vary from province to province. At the time of our report in April 2007, Alberta, Ontario and Manitoba had not explicitly prohibited corporal punishment in their education acts, but many had guidelines for restriction upon its use.

Many Canadian witnesses relied on the reports of the UN Committee on the Rights of the Child. In several reports, the committee indicated their deep concern that Canada had not enacted specific legislation prohibiting all forms of corporal punishment. However, the United Nations Committee on the Rights of the Child consistently recommended that state parties also initiate national campaigns to raise awareness of the negative effects of corporal punishment and to encourage the development of positive, non-violent child rearing and educational practices. Throughout virtually all the testimony, witnesses and reports pointed out the need for education and for alternative methods of discipline to be explored.

Our committee stated:

From the outset, education should be a primary goal of any initiatives taken in this sphere. This is the position that was articulated by the Committee on the Rights of the Child, whose members told our Committee that public education is even more important than changing the law. There is a clear need for further research into alternative methods of discipline, as well as the effects of corporal punishment on children. As well, the Committee, being our committee, believes that the federal government should launch education programs in the public sphere to foster a societal movement against corporal punishment, creating a contextual framework from which individual members of families can draw support.

As suggested in the United Nations' recent study on violence against children, which used the Convention on the Rights of the Child as a framework for its discussions and recommendations,

gender-sensitive parental education programs should be developed to promote healthy parent-child relations, orienting parents towards constructive and positive forms of discipline and approaches to child development, which also take into account the evolving capacities of children and the importance of respecting their views. Education is also necessary to ensure that parents do not fear the loss of the reasonable chastisement defence.

If honourable senators will look at our report of April 2007, in particular at Recommendation No. 2, we did discuss the elimination of corporal punishment, but we stated that the following steps should be included:

The immediate launch of an extensive public and parental education campaign with respect to the negative effects of corporal punishment and the need to foster enhanced parent-child communication based on alternative forms of discipline; and

Calling on the Department of Health to undertake research into alternative methods of discipline, as well as the effects of corporal punishment on children;

Repeal of section 43 of the Criminal Code by April 2009;

Honourable senators will see that there was a two-year lead into that. Finally, Recommendation 2 included:

Calling on the Department of Justice to undertake an analysis of whether existing common law defences — such as necessity and the *de minimis* defence — should be made expressly available to persons charged with assault against a child.

I bring these matters to the attention of honourable senators because Bill S-209 calls for the repeal of section 43. In fairness to the proponent, Senator Hervieux-Payette, in her first draft, indicated immediate repeal of the section. In this bill, she does have a time limit before enactment. We need to look at whether this is a fair time limit. The committee said two years; one year has passed. We are still at one year, but we were contemplating, as the UN Committee on the Rights of the Child said, that education is a precondition if we really care about the interests of the child.

When the previous bill came to the committee after our report was finished, the bill was before us, but we chose to complete our study so that we would have that as background and information. We then turned to looking at the repeal of section 43 of the Criminal Code. While we did not look into all of the legal ramifications of section 43 in its repeal, Ms. Gillian Blackwell, Senior Counsel, Department of Justice, appeared before the committee in June 2007. She spoke about the repealing process and why section 43 was in the Criminal Code in the first place.

Ms. Blackwell said:

I will now return to section 43 of the Criminal Code. This section is intended to provide protection from criminal liability for a limited category of persons, those responsible for maintaining, protecting and educating children. It is based on the premise that parents are responsible for raising

their children and, in doing so, are expected to provide their children with guidance, supervision and education. They are ultimately responsible for teaching their children self-control and the ability to differentiate right from wrong.

Parents regularly apply non-consensual force in raising their children, be it guiding a reluctant child to bed by the hand or putting a child's winter boots on when the child prefers to wear sandals in the snow — personal experience. Section 43 therefore shelters parents from criminal liability for the use of reasonable force for restraint, control or to express disapproval of a specific behaviour.

Section 43, as a defence, is applicable only when the following elements have been met. First, it applies only to parents, persons acting in their stead and teachers. Second, it applies only to acts undertaken for the specific purpose of correction, discipline or guidance. Third, the child or pupil being corrected must be under the care of the parent or teacher. Finally, the force must be reasonable under the circumstances. This last criterion is critical, and clear guidelines on its meaning were provided by the Supreme Court of Canada. In short, a parent is responsible for teaching their child self-discipline.

Moreover, the Supreme Court of Canada provided useful and balanced guidelines that define the limited sphere of protection offered by section 43 for parents. In my respectful opinion, these guidelines provide much greater direction than the common law defences that some witnesses allege are available to fill a gap following a potential repeal of section 43 . . .

• (1540)

She goes on to say:

We do know, however, that if section 43 were simply repealed, any non-consensual force that a parent or teacher uses on a child or pupil could be an assault, given the broad definition under the Criminal Code. There would no longer be a statutory defence to criminal charges where the force that is used is a minor, corrective force of a transitory or trifling nature. Parents who physically put a reluctant child in a car seat or remove a child to their bedroom for time out are applying non-consensual force and could be convicted of a simple assault.

Criminal law and provincial and territorial child protection laws already protect children from abuse, and repealing section 43 may simply expose parents to criminal liability.

When examining section 43 of the Criminal Code, the question is not whether, as individuals, we believe that light physical discipline is effective; the question is whether we should use the full force of the criminal law, our most powerful tool, against parents trying to raise children to be responsible members of society.

Reliance on the *de minimis* defence could confuse further the law surrounding child discipline since the elements of the defence, when they are accepted, are still uncertain in Canadian criminal law.

Honourable senators, that is a quotation from some of the analysis done by the Department of Justice.

Suffice it to say that I join with those who do not believe in corporal punishment in this day and age. My concern is that the abolition of section 43 will lead to vulnerability for parents in a way that is not intended, in a way that the committee on the rights of the child and the convention did not envision, and in a way that might put parents into a section for assault.

I am concerned that parents using reasonable restraint — not force but restraint — and in fact teachers could be open to assault charges, and we are uncertain of what defences they could utilize. We have children today in schools who bully, we have children today in homes who have tools that we did not have when we were growing up, and it is incumbent upon us to determine what the effect of repealing section 43 will do to the issue of reasonable restraint. It is not a question of corporal punishment; it is a question, in my opinion, of reasonable restraint.

Therefore, I believe that the appropriate place to examine the Criminal Code issues and the consequences of any blanket repeal and what that might do to families, to teachers and to children should be looked at through the legal and constitutional lens. Therefore, I am very supportive of this bill being sent to the Standing Senate Committee on Legal and Constitutional Affairs.

We heard recently that more than one committee studies issues. Quite frankly, that is appropriate. We looked at the issues from a human rights issue point of view, from a child's perspective and from a convention issue point of view. It is now appropriate that we not revisit the corporal punishment issue but that we look at the consequence and the intent of repealing section 43 in its full extent, which was not the mandate of our committee when we studied the subject.

I look forward to further discussion and debate in the committee.

Hon. Gerald J. Comeau (Deputy Leader of the Government): In repealing section 43, if we do agree this afternoon to endorse this bill in principle and send it off to the Standing Senate Committee on Legal and Constitutional Affairs, are we not then saying, yes, we accept the principle of repealing section 43, and therefore there is very little we can do at committee?

Senator Andreychuk: Senator Cochrane did an excellent job of presenting the case, namely, the principle that no one is now in favour of abusing a child. Therefore, there is an element of corporal punishment in section 43. I think we are all agreeing, in principle, on how we can update section 43. I agree in principle that corporal punishment is not an effective tool today but, as I put it, I have prefaced it conditionally with the comment that education is the key. Neither the Convention on the Rights of the Child nor the committee that has asked for the repeal has said that it should be done outright. They have hedged it around with conditions. In principle, I am saying we should send it to the Legal and Constitutional Affairs Committee so that we can look at the issue of corporal punishment and its removal within a correct context, and ensure that we do not cause any undue harm to families, children or teachers, or that we, in fact, increase it.

[Senator Andreychuk]

When the matter was before the committee, I had asked that this be done, but there was no appetite to do so. Thus we hoped that in a third committee there would be a way of effectively repealing section 43, or amending it. The section could not be repealed outright, but could be substituted with a new section. I think this is legitimately within the purview of the Senate to refer, and therefore I am in favour of it. I certainly subscribe to all of the excellent remarks made by Senator Cochrane in her speech.

Hon. Jim Munson: Is the honourable senator satisfied that the government has moved forward on our recommendations in dealing with the educational component of delivering this message to the provinces and carrying out proactive programs in this regard? With respect to the repealing, that has one year still to go. Does the honourable senator still stand by that, for April of 2009?

Senator Andreychuk: I am not standing by 2009. That was a recommendation to the government. As the honourable senator knows, we have this reference, as a continuing reference, where we intend to bring back government officials to find out exactly what they have done on this matter. We are not letting go of this issue, and we are not agreeing that the government has done it. Quite frankly, at this point, we need to see more evidence on the table.

Governments of all stripes have been working on this discipline issue and alternative methods, but it waxes and wanes, and we need to get an update as to exactly what the Department of Health and the Department of Justice have been doing. It also strongly involves Aboriginals. As we know, they are oversubscribed in our court systems, and we would not want to do anything in this Criminal Code section that would make them even more vulnerable. It is a question of the easy way to lay a charge rather than deal with it in a family services concept. We have some information gaps, but I agree that it needs lead time.

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

Hon. Senators: Question!

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

An Hon. Senator: On division.

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

• (1550)

[Translation]

REFERRED TO COMMITTEE

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

On motion of Senator Tardif, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.

STUDY ON IMPACT AND EFFECTS OF SOCIAL DETERMINANTS ON HEALTH

INTERIM REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Keon, seconded by the Honourable Senator Andreychuk, for the adoption of the seventh report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *Population Health Policy: International Perspectives*, tabled in the Senate on February 26, 2008.—(Honourable Senator Cowan)

Hon. Lucie Pépin: Honourable senators, I am pleased to rise as we study the seventh report of the Subcommittee on Population Health of the Standing Senate Committee on Social Affairs, Science and Technology.

I had the privilege of being part of the fact-finding mission on the maternal health and early childhood development program in Cuba. This tour was part of our policy study with a view to improving overall health and reducing health disparities.

During our visit, we discovered another side to Cuba. I was really drawn to Cubans' pragmatism. The main lesson I learned was that it is not enough to have plenty of resources. It is possible to do a great deal with limited resources.

Cuba outperforms all countries of similar national income on measures of education and health outcomes. It is a developing country with good health and education indicators. Cubans have a life expectancy of 77 years, which is comparable to wealthier countries such as the United States, where average life expectancy is 78.

With an infant mortality rate of 5.3 per 1,000 live births, Cuba ranks second only to Canada in all the Americas. According to the United Nations Development Programme, Cuba's literacy rate of 99.8 per cent places it second in the world, tied with Estonia.

For a country that has been under an embargo since 1962, Cuba makes for a very interesting case study.

We discovered during our fact-finding mission that Cubans owe their success primarily to their prevention policy. Prevention is a top priority. Cubans developed this preventive approach because they are aware of the limitations of focusing on the treatment of disease. Very early on, the government made public health a strategic objective and developed an ambitious prevention program.

The polyclinics were a surprise that made an impression on us during this mission. These clinics provide the primary services for Cuban public health. The World Health Organization has called them one of the most complete health care services in the world. In addition to providing primary health care, these centres provide medical training and education, integrating science and the transfer of knowledge.

The 498 polyclinics play a vital role in data collection and scientific research. One of their main mandates is to identify the medical problems of Cubans before they become acute. These

multidisciplinary medical centres regularly undertake universal screenings and strongly encourage immunization. In addition, medical genetics have been integrated at all levels of their health system. Every polyclinic has a genetic counselling service. All expectant mothers and their newborns are covered by this service. Furthermore, every Cuban must have two checkups a year. Nurses may go to the home of a citizen who fails to have a checkup in order to complete it. We were also informed that a polyclinic often will discover a patient's illness before the patient becomes aware of it.

This preventive approach is also seen during the early years. It is well known that the first years of life are decisive for a child's further development, since it is at this early stage that the foundation is laid for future physical, mental and social development.

Cuba provides an excellent example of a population-wide program that takes a preventive approach to foster the health, education and development of children from the earliest stages. The polyclinics regularly observe infants and toddlers in an attempt to identify problems during the most sensitive periods of brain development. A diagnosis unit for potential developmental disabilities exists in each municipality, with a multidisciplinary team that assesses the child and advises the family.

Early detection of childhood developmental problems enables intervention at an early stage and could prevent the need for more costly remedies later in life.

Polyclinics also work closely with teachers in early childhood and preschool centres and elementary schools. Regular meetings are held to discuss the overall mental and physical health of the children in the community. This specific attention to children is reflected in preschool education programs designed to ensure each child's optimum development. This universal education program, carried out at a very low cost, reaches nearly every child under the age of six and is delivered in three ways.

Child care centres known as *círculo infantiles* are available for children between six months and five years whose mothers are working. We visited the *círculo infantiles* Rayitos. The young children welcomed us and led us by the hand around their centre. It was truly charming.

A preschool preparatory program for five-year-olds is open to all children whether their mothers work or not.

Third, the *Educa a Tu Hijo* (Educate Your Child) program provides education for children who do not attend child care centres. It is delivered in the home for children aged zero to two and in the community for those aged two to four.

This program coaches families on how to stimulate the social, emotional, cognitive and motor development of the child, and provides advice on health care and nutrition. These centres involve both parents and grandparents as agents of diagnosis and intervention. A number of government departments and non-governmental players work closely together to make this program a success.

It is interesting to note that children with special needs receive individualized attention through the local polyclinic and the

Educa a Tu Hijo program specialists. We got an overview of the reality on the ground when we visited La Castellana Medical Psycho-Pedagogic Centre. Autistic children receive support from the state, which fully funds two specialized schools, one of which was visited by our colleague Senator Munson.

The members of the subcommittee noticed that the close relations the service provider maintains with the child and the family play an extremely important role in skills development and family involvement in high-quality education. All efforts devoted to the children are extended to include the mothers.

The data show steady improvement in child and maternal health from 1970 to 2006.

Pregnant women who are considered to be at risk are given a plan for required care in order to receive appropriate services throughout the health care system. Those considered to be at risk for complications may also be referred to a maternal home, where they are either followed as outpatients or admitted to a centre.

Cuba's pragmatic approach to public health and early childhood development can help us in our search for solutions, particularly when it comes to making our health care system more efficient. We spend more than \$140 billion a year on a struggling health care system.

• (1600)

In 2002, the Standing Senate Committee on Social Affairs, Science and Technology published a report entitled *The Health of Canadians — The Federal Role*, known as the Kirby report. In it we emphasized that investing more human and financial resources in health promotion, prevention and public health can improve health care results in a given population. Cuba is proof of this, despite its political and economic problems. The Cuban model of family-based programs is an excellent example of flexible, very efficient, low-cost interventions that we should seriously think about.

The Canadian Institute for Advanced Research estimates that the health of Canadians depends 25 per cent on the health care system, and 75 per cent on several other socio-economic and biological factors.

Thus it is clear that, in order to maintain and improve population health, it is just as important to develop strategies for improving population health. These strategies must include health promotion and disease prevention and, above all, policies to improve income, access to education, housing, the quality of drinking water, workplace safety, and so on.

The Subcommittee on Population Health decided to devote itself to this enormous task through a study on population health.

Many other countries have shown us the way. Our first report, entitled *Population Health Policy: International Perspectives*, focuses on government policies to address population health in Sweden, England, Finland, New Zealand and Norway. All those countries have taken steps to reduce health disparities in their populations.

We hope our federal government will draw inspiration from all those countries, and especially from the work of our subcommittee, and take a government-wide approach to tackle the disparities and inconsistencies in health outcomes.

Hon. Maria Chaput: Will Senator Pépin accept a question?

Senator Pépin: Yes.

Senator Chaput: I would like to begin by congratulating the members of the committee on the work they have done and their excellent report.

I wonder if the honourable senator would know what led the Cubans to adopt this preventive approach. Also, on the subject of early childhood education centres, I would like to know when this kind of initiative began and whether the results have been analyzed.

Senator Pépin: They began thinking about early childhood education centres after Mr. Castro's revolution, and they began the process in the years that followed.

They firmly believe that children who are properly cared for, educated, fed and housed will become well-rounded citizens who can stand up for themselves and have a better future.

This is an impressive achievement considering the few means available to them. For example, a woman who becomes pregnant is taken care of immediately and throughout her pregnancy. If the woman lives in a rural area, the caregivers go to her. They also make sure that the child can go to a centre.

We visited centres for small children with autism. Those places were truly extraordinary. They welcomed us with music. There are special centres, and no child is excluded.

Here, we manage health by looking for the cause of an illness. There, they manage health through prevention. They believe that children's health is assured through family support and education.

I sincerely believe that Cuba is a model to be followed and that our committee will provide some good solutions.

Motion agreed to and report adopted.

[*English*]

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 Harb*)

Hon. Mac Harb: Honourable senators, I do not want to take too much of the Senate's time on this issue. A number of honourable senators have spoken very well on it — people with a tremendous amount of background in the area.

I have received a number of letters from constituents and organizations who have encouraged me, as a senator from Ontario, to speak on the issue and to make my views known to this house. That is why I have taken the adjournment and wanted to share a few comments with you today.

When I was in the other place I had the pleasure of putting a similar motion to the effect that I wanted the committee responsible for health to look at the issue that deals with certain aspects of arthritis. Any family anywhere in Canada knows someone who has faced one form or another of this terrible disease.

At the time, the minister responsible for health indicated that he would make it a priority in his ministry; that they would look at ways to ensure that it receives the national attention required. Since then, I came to this side, thank God. I see the inquiry proposed by Senator Comeau, and I thank him for that.

I believe that the inquiry will bring to the attention of the Senate a matter of national importance. However, I also believe it is important for us to move to the next step, whether that step is the Senate striking a committee to look at the issues closely and to make recommendations to the government, passing a resolution of sorts, or asking an existing committee to make this issue a priority so we can come back with a report.

I add my voice to other honourable senators who have spoken in favour of collective action. I also want to thank Senator Comeau for bringing this matter to our attention.

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

• (1610)

[*Translation*]

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, April 1, 2008, at 2 p.m.

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

Motion agreed to.

[English]

The Hon. the Speaker *pro tempore*: Honorable senators, pursuant to the order adopted by the Senate earlier today, the sitting is now adjourned during pleasure and will be reconvened at the call of the chair, with a 15-minute bell.

The Senate adjourned during pleasure.

• (1650)

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I draw your attention to the presence in the gallery of Ms. Gail Asper, Chair of the CanWest Global Foundation. Ms. Asper is accompanied by other guests of the Honourable Senator Stratton.

On behalf of the Senate of Canada, I welcome you.

[Translation]

ROYAL ASSENT

The Hon. the Speaker *pro tempore* informed the Senate that the following communication had been received:

RIDEAU HALL

March 13, 2008

Mr. Speaker,

I have the honour to inform you that the Honourable Morris Fish, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of the Governor General, signified

royal assent by written declaration to the bills listed in the Schedule to this letter on the 13th day of March, 2008, at 4:29 p.m.

Yours sincerely,

Eileen Boyd
For the *Secretary to the Governor General*

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Thursday, March 13, 2008:

An Act to implement the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention) (*Bill C-9, Chapter 8, 2008*)

An Act to amend the Museums Act and to make consequential amendments to other Acts (*Bill C-42, Chapter 9, 2008*)

An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (*Bill C-48, Chapter 10, 2008*)

An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 (*Bill C-49, Chapter 11, 2008*)

The Senate adjourned until Tuesday, April 1, 2008, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION

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

(2nd Session, 39th Parliament)

Thursday, March 13, 2008

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

GOVERNMENT BILLS
(SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Canada-United States Tax Convention Act, 1984	07/10/18	07/11/13	Banking, Trade and Commerce	07/11/15	0	07/11/21	07/12/14	32/07
S-3	An Act to amend the Criminal Code (investigative hearing and recognizance with conditions)	07/10/23	07/11/14	Special Committee on Anti-terrorism	08/03/04	2	08/03/06		

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act to amend the Criminal Code and to make consequential amendments to other Acts	07/11/29	07/12/12	Legal and Constitutional Affairs	08/02/27	0 observations	08/02/27	08/02/28	6/08
C-3	An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act	08/02/06	08/02/07	Special Committee on Anti-terrorism	08/02/12	0 observations	08/02/12	*08/02/14	3/08
C-8	An Act to amend the Canada Transportation Act (railway transportation)	08/01/29	08/02/12	Transport and Communications	08/02/14	0	08/02/14	08/02/28	5/08
C-9	An Act to implement the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention)	08/01/31	08/02/12	Foreign Affairs and International Trade	08/02/28	0	08/03/04	*08/03/13	8/08
C-10	An Act to amend the Income Tax Act, including amendments in relation to foreign investment entities and non-resident trusts, and to provide for the bijural expression of the provisions of that Act	07/10/30	07/12/04	Banking, Trade and Commerce					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-11	An Act to give effect to the Nunavik Inuit Land Claims Agreement and to make a consequential amendment to another Act	07/10/30	07/11/29	Legal and Constitutional Affairs	08/01/31	1 observations	08/02/07 Message from Commons-agree with Senate amendment 08/02/12	*08/02/14	2/08
C-12	An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act, the Wage Earner Protection Program Act and chapter 47 of the Statutes of Canada, 2005	07/10/30	07/11/15	Banking, Trade and Commerce	07/12/13	0 observations	07/12/13	07/12/14	36/07
C-13	An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)	07/10/30	07/11/21	Legal and Constitutional Affairs	07/12/11	6 observations	08/01/29		
C-15	An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a consequential amendment to the Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act	07/11/21	07/11/29	Energy, the Environment and Natural Resources	07/12/13	0	07/12/13	07/12/14	33/07
C-18	An Act to amend the Canada Elections Act (verification of residence)	07/12/13	07/12/14	Committee of the Whole	07/12/14	0	07/12/14	07/12/14	37/07
C-28	An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007 and to implement certain provisions of the economic statement tabled in Parliament on October 30, 2007	07/12/13	07/12/13	Pursuant to rule 74(1) subject-matter 07/12/12 National Finance	Report on subject-matter 07/12/13	—	07/12/13	07/12/14	35/07
C-35	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No. 3, 2007-2008</i>)	07/12/11	07/12/11	—	—	—	07/12/13	07/12/14	34/07
C-37	An Act to amend the Citizenship Act	08/02/26	08/03/04	Social Affairs, Science and Technology					
C-38	An Act to permit the resumption and continuation of the operation of the National Research Universal Reactor at Chalk River	07/12/12	07/12/12	Committee of the Whole	07/12/12	0	07/12/12	*07/12/12	31/07
C-40	An Act to amend the Canada Labour Code, the Canada Student Financial Assistance Act, the Canada Student Loans Act and the Public Service Employment Act	08/02/14	08/03/04	National Security and Defence					
C-41	An Act respecting payments to a trust established to provide provinces and territories with funding for community development	08/02/05	08/02/05	National Finance	08/02/07	0	08/02/07	*08/02/07	1/08

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-42	An Act to amend the Museums Act and to make consequential amendments to other Acts	08/02/14	08/02/26	Human Rights	08/03/04	0	08/03/05	*08/03/13	9/08
C-44	An Act to amend the Agricultural Marketing Programs Act	08/02/26	08/02/27	Agriculture and Forestry	08/02/28	0	08/02/28	08/02/28	7/08
C-48	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No. 4, 2007-2008</i>)	08/03/12	08/03/13	—	—	—	08/03/13	*08/03/13	10/08
C-49	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 (<i>Appropriation Act No. 1, 2008-2009</i>)	08/03/12	08/03/13	—	—	—	08/03/13	*08/03/13	11/08

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-253	An Act to amend the Income Tax Act (deductibility of RESP contributions)	08/03/06							
C-280	An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171)	07/10/17	08/03/04	Human Rights					
C-287	An Act respecting a National Peacekeepers' Day	07/11/22	08/02/26	National Security and Defence					
C-292	An Act to implement the Kelowna Accord	07/10/17	07/12/11	Aboriginal Peoples					
C-293	An Act respecting the provision of official development assistance abroad	07/10/17	07/12/12	Foreign Affairs and International Trade					
C-298	An Act to add perfluorooctane sulfonate (PFOS) and its salts to the Virtual Elimination List under the Canadian Environmental Protection Act, 1999	07/12/04	08/03/11	Energy, the Environment and Natural Resources					
C-299	An Act to amend the Criminal Code (identification information obtained by fraud or false pretence)	07/10/17							
C-307	An Act respecting bis(2-ethylhexyl)phthalate, benzyl butyl phthalate and dibutyl phthalate	07/11/29							
C-343	An Act to amend the Criminal Code (motor vehicle theft)	08/02/28							
C-428	An Act to amend the Controlled Drugs and Substances Act (methamphetamine)	08/02/12							

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-201	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	07/10/17	07/11/28	National Finance	08/02/27	4	08/03/06		
S-202	An Act to amend certain Acts to provide job protection for members of the reserve force (Sen. Segal)	07/10/17							
S-203	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	07/10/17	07/11/13	Legal and Constitutional Affairs	07/11/22	0	07/11/27		
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	07/10/17	08/02/13	Social Affairs, Science and Technology					
S-205	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	07/10/17	08/03/05	Banking, Trade and Commerce					
S-206	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	07/10/17							
S-207	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	07/10/17	07/11/28	Legal and Constitutional Affairs	07/12/06	0	07/12/11		
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	07/10/17		Subject matter 07/11/13 Energy, the Environment and Natural Resources	Report on subject- matter 08/02/28				
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Herveux-Payette, P.C.)	07/10/17	08/03/13	Legal and Constitutional Affairs					
S-210	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	07/10/17	08/02/28	Legal and Constitutional Affairs					
S-211	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	07/10/17							
S-212	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	07/10/18							
S-213	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	07/10/23	07/12/06	Legal and Constitutional Affairs	08/01/31	0	08/02/05		
S-214	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	07/10/24							
S-215	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	07/10/30	07/12/06	National Finance	07/12/13 Report amended 07/12/13	19	07/12/13		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-216	An Act to amend the Access to Information Act and the Canadian Wheat Board Act (Sen. Mitchell)	07/10/30	Dropped from Order Paper pursuant to Rule 27(3) 08/03/13						
S-217	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Carney, P.C.)	07/10/31							
S-218	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures, in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	07/10/31	08/03/05	Human Rights					
S-219	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and establishment of national area of selection) (Sen. Ringuette)	07/11/13	07/12/11	National Finance					
S-220	An Act respecting a National Blood Donor Week (Sen. Mercer)	07/11/15	07/11/27	Social Affairs, Science and Technology	07/11/29	0	07/12/04	*08/02/14	4/08
S-221	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	07/11/28							
S-222	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	07/12/04							
S-223	An Act to amend the Non-smokers' Health Act (Sen. Harb)	07/12/04	08/03/13	Social Affairs, Science and Technology					
S-224	An Act to amend the Parliament of Canada Act (vacancies) (Sen. Moore)	07/12/13	08/03/04	Legal and Constitutional Affairs					
S-225	An Act to amend the State Immunity Act and the Criminal Code (detering terrorism by providing a civil right of action against perpetrators and sponsors of terrorism) (Sen. Tkachuk)	07/12/14							
S-226	An Act to amend the Business Development Bank of Canada Act (municipal infrastructure bonds) and to make a consequential amendment to another Act (Sen. Grafstein)	08/01/29							
S-227	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	08/02/12							
S-228	An Act to amend the Canadian Wheat Board Act (board of directors) (Sen. Mitchell)	08/02/13							
S-229	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	08/02/26							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-230	An Act to amend the Excise Tax Act (zero-rating of supply of cut fresh fruit) (Sen. Milne)	08/02/26							
S-231	An Act to amend the Citizenship Act (oath of citizenship) (Sen. Segal)	08/03/12							

PRIVATE BILLS

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

CONTENTS

Thursday, March 13, 2008

	PAGE		PAGE
SENATORS' STATEMENTS		ORDERS OF THE DAY	
Loyalty		Appropriation Bill No. 4, 2007-08 (Bill C-48)	
Hon. Bert Brown	994	Second Reading.	
All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity		Hon. Terry Stratton	1000
Tolerance Caravan.		Hon. Joseph A. Day	1001
Hon. Yoine Goldstein	994	Third Reading.	
Kidney Disease		Hon. Joseph A. Day	1001
Organ Donation.		Appropriation Bill No. 1, 2008-09 (Bill C-49)	
Hon. Marie-P. Poulin	994	Second Reading.	
Colloquium France-Canada		Hon. Terry Stratton	1002
Four Hundredth Anniversary of Quebec.		Hon. Joseph A. Day	1002
Hon. Maria Chaput	995	Hon. Anne C. Cools	1002
Pages Exchange Program with House of Commons		Third Reading.	
The Hon. the Speaker <i>pro tempore</i>	995	Hon. Terry Stratton	1003
<hr/>		The Estimates, 2007-08	
ROUTINE PROCEEDINGS		Interim Report of National Finance Committee on Main Estimates—Debate Adjourned.	
Royal Assent		Hon. Joseph A. Day	1003
Motion to Suspend Sitting to Await Written Declaration Adopted.		Hon. Fernand Robichaud	1004
Hon. Gerald J. Comeau	996	Hon. Percy E. Downe	1004
Business of the Senate		Hon. Roméo Antonius Dallaire	1005
Motion to Photograph Reading of Royal Assent Declaration Adopted.		Hon. Gerald J. Comeau	1005
Hon. Terry Stratton	996	Hon. Catherine S. Callbeck	1005
<hr/>		Hon. Jane Cordy	1006
QUESTION PERIOD		Hon. Sharon Carstairs	1006
Justice		Hon. Terry Stratton	1007
Case of Omar Khadr.		Non-smokers' Health Act (Bill S-223)	
Hon. Roméo Antonius Dallaire	996	Bill to Amend—Second Reading.	
Hon. Marjory LeBreton	996	Hon. Elizabeth Hubley	1007
The Environment		Hon. Mac Harb	1008
Climate Change—Plan Proposed in 2006.		Referred to Committee	1008
Hon. Lorna Milne	997	Drinking Water Sources Bill (Bill S-208)	
Hon. Marjory LeBreton	997	Second Reading—Debate Continued.	
Recycling Automobiles.		Hon. Jeremiah S. Grafstein	1008
Hon. Pierrette Ringuette	998	Criminal Code (Bill S-209)	
Hon. Marjory LeBreton	998	Bill to Amend—Second Reading.	
Official Languages		Hon. A. Raynell Andreychuk	1008
Action Plan—Early Childhood Initiatives in Minority Language Communities.		Hon. Gerald J. Comeau	1010
Hon. Marilyn Trenholme Counsell	998	Hon. Jim Munson	1011
Hon. Marjory LeBreton	998	Referred to Committee	1011
Action Plan.		Study on Impact and Effects of Social Determinants on Health	
Hon. Claudette Tardif	999	Interim Report of Social Affairs, Science and Technology Committee Adopted.	
Hon. Marjory LeBreton	999	Hon. Lucie Pépin	1011
Hon. Maria Chaput	999	Hon. Maria Chaput	1013
Canada Post		Arthritis	
Rural Mail Delivery—Safety of Box Sites.		Inquiry—Debate Continued.	
Hon. Terry M. Mercer	1000	Hon. Mac Harb	1013
Hon. Marjory LeBreton	1000	Adjournment	
<hr/>		Hon. Gerald J. Comeau	1013
		Visitors in the Gallery	
		The Hon. the Speaker <i>pro tempore</i>	1014
		Royal Assent	1014
		Progress of Legislation	i



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