



CANADA

Debates of the Senate

2nd SESSION

•

40th PARLIAMENT

•

VOLUME 146

•

NUMBER 71

OFFICIAL REPORT
(HANSARD)

Thursday, November 19, 2009



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

CONTENTS

(Daily index of proceedings appears at back of this issue).

Debates Service: D'Arcy McPherson, Chambers Building, Room 943, Tel. 613-995-5756
Publications Centre: David Reeves, Chambers Building, Room 969, Tel. 613-947-0609

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, November 19, 2009

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

Prayers.

SENATORS' STATEMENTS

NATIONAL CHILD DAY

Hon. Jim Munson: Honourable senators, I wish to call your attention to an important anniversary. This year marks the twentieth anniversary of the United Nations Convention on the Rights of the Child. Like all international conventions, it expresses the will and reflects the deeply-held beliefs of nations around the world. This convention speaks to human rights, but focuses on our youngest humans — children. Children, though they are small and young, are equal citizens of this earth with rights that must be respected. Children have the right to survive, the right to be safe, the right to develop fully without abuse and exploitation and the right to participate fully in family and society.

Canada signed the Convention on the Rights of the Child in 1991, but we have only to look at our record to see that we need much more than words. We need action to ensure that these rights are respected. Canada needs to act to improve children's access to healthy beginnings. That means addressing poverty, making communities safe and providing access to early childhood education. It means helping parents and families.

Next Monday, the Senate Chamber will be filled with children from around the National Capital Region who will be inspired by speakers and performers — children like themselves — who are making a difference right now. The program will show children that they are important and have a role to play in our society today; not only tomorrow when they are big.

Along with Senator Ethel Cochrane and Senator Terry Mercer, I wish to invite all honourable senators to make it back to Ottawa to start work on Monday in time for this event. At 9:45 a.m., we will have 300 to 400 children in this chamber. His Honour knows this event is not only inspiring, it is about what is happening in our society today with those who are intellectually and physically disabled. It is not only a show; there is tremendous meaning behind what these children do. They are coming from all parts of the country. Drop in to take a look and be with us. I guarantee that honourable senators will be moved and inspired.

The next day, Tuesday, all honourable senators have been invited to a breakfast in the Speaker's salon where they will have a chance to meet devoted representatives from NGOs and associations, all of whom work on behalf of children — improving their lives and protecting their rights. Once again, you will be inspired by the people you meet.

Tomorrow is National Child Day — the actual day. It is a big day, honourable senators. Please help celebrate it next week with Senators Cochrane and Mercer and His Honour. Canada and her children deserve it.

OLYMPIC TORCH RELAY

Hon. Ethel Cochrane: Honourable senators, I rise today to share with you the sense of excitement and celebration that was felt throughout my province last weekend as the Olympic torch travelled across Newfoundland and Labrador.

Last Sunday morning, I was delighted to be on hand to greet the arrival of the Olympic flame to our communities on the west coast of the island. It was a grey fall day, but the excitement was palpable. There was a massive block party as drummers, local performers, painters, musicians and athletes took to the streets. Everywhere one looked was a sea of red. There were numerous Canadian tattoos on smiling faces and countless Canadian flags in hand as thousands of people lined the streets to welcome the Olympics back to Canada and to share in the spirit of the games. Schoolchildren, sports teams, families, seniors and new Canadians — all demographic groups — were out in full force.

On Sunday evening, long after darkness had fallen, the torch reached Port aux Basques. Honourable senators, not even the rain could dampen the spirit. In the cold, wet weather, organizers even relocated the event to the fire hall and the party simply grew and grew. It did not matter if you were young or old, an armchair athlete or an Olympian, you could feel the spirit of community and celebration arising within you. The excitement was contagious and I, too, became caught up in the Olympic fever.

Honourable senators, the beauty of the Olympic Games is that they bring a community, a country, together.

I commend all of the organizers who have helped to make the 2010 Vancouver Olympics, Canada's Olympics. I know that many Canadians from coast to coast to coast are, like me, counting down the next 85 days to the start of the Games.

[Translation]

PROTECTION OF CHILDREN

Hon. Céline Hervieux-Payette: Honourable senators, the role that government should play in the lives of Canadians has been the subject of many debates over the years. The debates have helped us conclude that the government has the moral obligation to help all citizens, especially the most vulnerable members of society, including our children.

Scientists have proven over and over that children between the ages of two and twelve are passing through a critical development stage that will affect what kind of adults they will become. For this reason, we must reconsider the behaviours that our society deems acceptable in terms of raising children and helping them reach their full potential.

Parents are not the masters when it comes to how they treat a child, spouse or family member. Children are human beings who are entitled to the same privileges as their parents, in particular the rights to life, freedom and, most importantly, physical integrity.

Society needs to take a closer look at the new roles parents must take on as a result of a new awareness. And it is because of that awareness that I am using my role as a legislator to propose changes to traditional child-rearing methods. Bill S-209, which I have introduced to protect children, will never make parents into criminals, but seeks to help them find non-violent ways to raise their children. That is why this bill provides for a period of education before it comes into force.

By looking to religious values such as instruction, forgiveness, respect and compassion, we should be able to create a more harmonious society. These values are represented in Bill S-209 and reflect a new vision of the child in our modern societies.

November 20, 2009 will mark the 20th anniversary of the Convention on the Rights of the Child. We must take advantage of this opportunity to amend our legislation. Canada signed this convention 20 years ago, but is not doing enough to protect children against child-rearing violence. It is urgent, not only that we prove to the international community that Canada deserves its reputation as a defender of human rights, but also that we prove to our children that Canada is ensuring that they can develop their full potential.

Canada has learned much about children's rights from other countries, especially those that have passed legislation similar to the bill I have introduced. By promoting a positive approach to child-rearing, these countries have succeeded in legislating behaviour without compromising parents' rights to raise their children. The parent-child relationship in Canada must change, and a new law must serve as the basis for better protection of children's rights. We cannot create a harmonious society without non-violent child-rearing methods. We must never forget that today's children will be tomorrow's parents and that it is up to adults to behave in a way they hope their children will emulate one day.

• (1340)

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

Hon. Andrée Champagne: Honourable senators, on Thursday, November 5, the Canadian branch of the Assemblée parlementaire de la Francophonie recognized the work of a number of Canadians who have made their mark on francophone culture in Canada and abroad over the past few years.

Politicians, artists, writers, business people, radio and television personalities and humanists were elevated to various ranks of the Ordre de la Pléiade, Order of the Francophonie and the dialogue of cultures.

Several senators were recognized for their work, including Senator Pierre De Bané, Senator Jean Lapointe, and our Speaker, Senator Kinsella.

[Senator Hervieux-Payette]

The highlight of the evening was certainly the presence of our Prime Minister, the Right Honourable Stephen Harper. The international bureau of the APF recognized the hard work that the leader of our government has done to improve his comprehension of French and his ability to express himself in that language.

Everyone also noted that this man, who was born in Ontario and educated in Alberta, is now in the habit, both here and abroad, of beginning his speeches in French. Those who, like me, had the honour of accompanying him to the Summit of the Francophonie in Bucharest also recall the excellent debates he engaged in with President Chirac in French.

Canadians know that our Prime Minister garnered support for Part VII of the Official Languages Act and implemented it, ensuring that it would have tangible results in his government.

The Right Honourable Stephen Harper was elevated to the highest rank of the Ordre de la Pléiade, Order of the Francophonie and the dialogue of cultures. He now holds the Grand Cross.

Honourable senators, I am sure that you will wish to join me in congratulating him.

The ceremony ended with a brief musical performance by soprano Jacinthe Parisé, accompanied by pianist André-Sébastien Savoie. They performed a piece by Kurt Weill, a German who described the French language as synonymous with beauty. She also performed a piece from Franz Lehar's *The Merry Widow*, and ended with a text by Jean Anouilh set to music by Francis Poulenc, *Les Chemins de l'amour*.

Believe me, it was a wonderful evening; a memorable francophone evening.

[English]

MR. KEVIN MACLEOD, C.V.O., C.D.

Hon. Michael L. MacDonald: Honourable senators, I rise today to congratulate one of our friends here in the Senate. Mr. Kevin MacLeod, our Usher of the Black Rod, returned to the chamber this week after 11 days with Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall.

As most honourable senators surely know, in addition to his role in the Senate as the Usher of the Black Rod, Mr. MacLeod also holds another important responsibility, that of Canadian Secretary to the Queen. This position had been vacant since the death of Gus Clouthier, the former Sergeant-at-Arms, in 2005.

In March of this year, Mr. MacLeod was appointed by the Governor General to fill this important job. The Canadian Secretary to the Queen coordinates the planning and delivery of royal visits to Canada, and is a senior liaison between government officials and the royal households. The job is incredibly complicated, both in the logistics and detail of protocol, but one to which Mr. MacLeod is most suited.

Visits like this one are an important reminder to Canadians of the traditions that have served us so well as a country. The monarchy represents continuity, stability and tradition in a world that is constantly changing.

When we become public office-holders, when we join the military and when new immigrants become citizens of Canada, all swear allegiance to Her Majesty. By making this oath to the sovereign, we show that our loyalty is not to any elected official, but to the people of Canada and the laws and traditions that are the foundation of our society.

The monarchy is also our link to the Commonwealth, an organization built not of military or economic allegiances, but on our shared history as part of the old British Empire. Royal visits also bring attention to important historic and cultural events, places and organizations across Canada.

As the Prince and the Duchess toured our country and met with people from all walks of life, we Canadians discovered more about ourselves along with them. It was particularly moving to see the Prince and the Duchess stand with Canadians on November 11 this year as we remembered Canada's fallen and honoured our veterans.

I congratulate the Usher of the Black Rod on a successful royal visit and on a job well done.

NUNAVUT MARINE RESOURCES

Hon. Dennis Glen Patterson: Honourable senators, I wish to say how delighted I am with the recent announcement of Gail Shea, Minister of Fisheries and Oceans, that a new turbot quota of 1,500 tonnes has been established in area OB off southeast Baffin Island, and that Nunavut fishers will receive almost all that increase, after allocations to Greenland and Nunavik according to the James Bay land claims agreement.

This decision respects provisions of the Nunavut Land Claims Agreement, which calls on government to recognize the principles of adjacency and economic dependence of communities in Nunavut on marine resources. These resources lie off the coast of Baffin Island, Nunavut. They will be fished by trawlers owned by the Baffin Fisheries Coalition and Qikiqtaaluk Corporation, whose crew will be Inuit fishers, many of whom have received training in Newfoundland and Labrador and Nova Scotia through the cooperation of those governments.

I want to give credit to those who contributed to this good news story for Nunavut, beginning with the Honourable Gail Shea and her department. I also know that our member of Parliament, the Honourable Leona Aglukkaq, was instrumental in encouraging the minister to make this welcome announcement in Iqaluit on November 9, aided by strong support from Nunavut Tunngavik, the Baffin Fisheries Coalition and the Government of Nunavut.

A vital impetus to this decision came from the Standing Senate Committee on Fisheries and Oceans in their landmark report, *Nunavut Marine Fisheries: Quotas and Harbours*, adopted by this house on June 22 of this year. The committee travelled to Nunavut, listened attentively and acted on what they heard.

Their report contains a specific recommendation that new allocations in area OB be given to Nunavut interests, to bring Nunavut allocations up to comparable levels of access enjoyed by other coastal jurisdictions in the adjacent fisheries. It is a tribute to the solid work of this committee, ably chaired by Senator Rompkey, that this recommendation, and all but one of the committee's other recommendations, have been accepted by the minister and the department.

Although I am still a new kid on the block, I continue to be impressed by the calibre of work and the effectiveness of Senate committees in setting aside partisan differences and working for the interests of the people we all serve. In Nunavut, I believe it is through the responsible development of Nunavut's abundant natural resources that we will overcome the challenges of unemployment and social ills in our communities.

I thank the Government of Canada for acting on its Northern Strategy and the members of this house for their continued interest in the true north, strong and free, and their support for the orderly development of our abundant resources, with the full involvement of Nunavut residents.

I know that in public life, there are always new challenges and struggles, and Nunavut has many. However, it is important to pause and mark those moments where notable progress has been achieved due to hard work and good will. This is one of those moments and I am happy to share that good news with honourable senators today.

DOWN SYNDROME AWARENESS WEEK

Hon. Donald H. Oliver: Honourable senators, November 1 marked the beginning of Down Syndrome Awareness Week. This month is a time for us to reflect upon this affliction and salute the many Canadians with Down syndrome who are managing their lives in spite of their condition.

Down syndrome is a naturally occurring arrangement of chromosomes in which extra material is present in the twenty-first chromosome. Down syndrome occurs in about 1 in every 800 births and most of those born with Down syndrome have only a mild to moderate intellectual delay.

That is the factual background. The interesting story, which many Canadians do not realize, is that, like you and I, most people who have Down syndrome lead busy, active and full lives. Many are actively involved in our world at schools, in sports, in volunteering in our communities and many also hold down jobs and pay taxes.

Like you and I, they contribute to our world in many ways, like the 10 adults with Down syndrome who are members of the Voices at the Table Advocacy Committee; or the H'Art of Ottawa, which is a group of artists who produce fascinating and innovative works. Their artwork has been on display at venues across the city. Their website at www.hartofottawa.ca is worth a look.

• (1350)

Honourable senators, I share in the vision of the Canadian Down Syndrome Society of a proud Canada, where all are welcome, where we embrace diversity and we value everyone's genes equally. This vision means not simply integrating people with Down syndrome into our society, but ensuring there is room for them to be included as equal members of our society.

[Translation]

ROUTINE PROCEEDINGS

STUDY ON STATE OF EARLY LEARNING AND CHILD CARE

FIFTH REPORT OF SOCIAL AFFAIRS, SCIENCE
AND TECHNOLOGY COMMITTEE—
GOVERNMENT RESPONSE TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the government's response to the fifth report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *Early Childhood Education and Care: Next Steps*.

[English]

STUDY ON ISSUES RELATING TO FEDERAL GOVERNMENT'S CURRENT AND EVOLVING POLICY FOR MANAGING FISHERIES AND OCEANS

SIXTH REPORT OF FISHERIES AND OCEANS
COMMITTEE TABLED

Hon. Bill Rompkey: Honourable senators, I have the honour to table, in both official languages, the sixth report of the Standing Senate Committee on Fisheries and Oceans, which deals with the proposed amendments to the Convention of the Northwest Atlantic Fisheries Organization.

INTER-PARLIAMENTARY UNION

CONFERENCE FOR CHAIRPERSONS AND MEMBERS
OF PARLIAMENTARY BODIES DEALING
WITH GENDER EQUALITY, DECEMBER 2-4, 2008—
REPORT TABLED

Hon. Donald H. Oliver: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian group of the Inter-Parliamentary Union, IPU, concerning its participation at the Conference for Chairpersons and Members of Parliamentary Bodies, Dealing with Gender Equality, entitled *A Parliamentary Response to Violence Against Women*, held in Geneva, Switzerland, from December 2 to 4, 2008.

[Senator Oliver]

QUESTION PERIOD

HEALTH

PROTECTION OF CHILDREN

Hon. Jim Munson: Honourable senators, my question is for the Leader of the Government in the Senate. This week marks the twentieth anniversary of National Child Day, a day that commemorates the unanimous adoption of the Convention on the Rights of the Child by the United Nations General Assembly on November 20, 1989. Canada ratified that convention in December 1991, but we have not seen a significant amount of action since then.

In 2007, UNICEF gave Canada a ranking of 12 out of 21 countries regarding the well-being of our children. The situation of Aboriginal children is particularly tragic; they are twice as likely to live in poverty, twice as likely to commit suicide, three times as likely to drop out of school, and three times as likely to die in infancy.

These are really tough statistics to recite in this chamber. What is the government doing to change them?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): The honourable senator did note that the initiative was started by a previous Conservative government. As a matter of fact, the person named as the co-chair of that special initiative by the previous Conservative government was the honourable senator's former colleague, Senator Landon Pearson.

The situation with regard to the rights of the child, child poverty and, particularly, the circumstances in our Aboriginal communities, as Senator Munson mentioned, are difficult. This is an area that requires constant work and it is the desire of any government of whatever political stripe to do whatever they can to alleviate the conditions for people, and especially children, who live in poverty.

As a government, we have taken several measures to assist low-income families with various tax measures, such as the Working Income Tax Benefit and the National Child Benefit. We have extended Employment Insurance benefits to assist families and, in assisting families, we assist their children. We are providing predictable and increased funding to the provinces to deal with the Canada Health Transfer and the Canada Social Transfer. Not only are we increasing the funding, but we have committed to a 6 per cent increase to the CHT, year after year.

With regard to the young people living in the North, on reservations and in our Aboriginal communities, as the honourable senator knows, we have embarked on an aggressive program of building new schools and making major renovations to other schools. We have created new programs to help vastly improve the whole situation with regard to education on First Nations reserves and in the North.

Senator Munson: I thank Senator LeBreton for her answer. This is the kind of issue with which I am reticent to play politics, especially when it deals with the children of our nation and, in

particular, Aboriginal children. I watched this morning in our Standing Senate Committee on Social Affairs, Science and Technology how, as senators, we work together to come to common ground in the report on cities and poverty that will come out soon.

Over the last three or four years on the Human Rights Committee, I have watched the work we tried to do with regard to the rights of the child. It is interesting to go across the country and listen to many of these stories, and then deliver our report. Sometimes there is action from governments, no matter whether they are Conservative or Liberal, and sometimes there is not. They take a look at it. Bureaucrats look at it. Ministers are busy and they may look at it. An answer is written. It comes back to us and it just stays within the precincts of Parliament. Not very much change.

However, there is one part of our Human Rights Committee report, which I worked on with Senator Andreychuk and others. We keep pushing for us to take another step. It makes sense in this country to appoint a national children's commissioner as is happening in the United Kingdom. That was recommended by our committee. Then we got the fuzzy lines when we came back.

There is an opportunity for this government to stand up for children, and to appoint a national children's commissioner.

What does the Leader of the Government in the Senate think?

Senator LeBreton: I have been a member of the Standing Senate Committee on Social Affairs, Science and Technology, as well, and participated in many of these studies, many of which the government has taken action on. For instance, the recommendations of the Social Affairs Committee on having a mental health commissioner was one item the government followed up on.

With regard to children, I think it is unfair of Senator Munson to suggest that governments read these reports and then file them away. The children are citizens of the country. Their issues fall within many jurisdictions of the government: Health, Indian and Northern Affairs Canada, HRSDC, et cetera. I do not have a written card response; this is me speaking.

• (1400)

It is difficult to have a fixed answer that one can put in a three-minute sound bite about everything the government has done to support families and children, and to raise the quality of life for families in this country and, by extension, children. This issue involves the whole of government.

Honourable senators, it is incorrect to state that no action has been taken in these areas. I mentioned a few examples in my first answer to the honourable senator. Of course, we are in difficult economic times. We see an increased incidence of people accessing food banks. I think all of us applaud the work that community service organizations and individuals — and the front-line workers in these food banks — accomplish in support of families that need extra help at this point in time.

I believe, honourable senators, that the government, through the various departments, through the tax measures we have taken and through increased funding to the provinces, has stable, increased funding, unlike what happened before. Everyone is in a better position to deal with these emerging issues.

With regard to the recommendation of the committee, I am aware of that recommendation, but I am not prepared to comment on it at this point in time. The government responded to a past report and the response is there for all to see. I cannot, and will not, comment further on that particular point.

Senator Munson: I have a supplementary question. The numbers we have seen in the last week with regard to the increase in accessing food banks tell a story. I am not here to criticize. I have accepted some of the arguments that the leader makes about doing more; however, I think the leader must accept that when we see the figures on accessing food banks, it tells us that collectively we have not done enough for the children in this country.

Therefore, in her heart, will the leader recommend a national children's commissioner to her cabinet colleagues? Does she believe in the concept of a national children's commissioner? That recommendation would be an excellent start.

Senator LeBreton: Honourable senators, I am a member of the cabinet and a member of a government. That question is a neat trick question that I will not take the bait on.

We are in difficult economic times. All good citizens, and all of us, I am sure, give money to shelters and food banks and donate food to help people through this difficult time.

However, one hallmark of this government is supporting families. Many measures have been taken to support families, and families include children. That is why the government has taken so many measures in support of families, not only tax measures but also, under Human Resources and Skills Development Canada, job-sharing, retraining and increasing the amount of money we send to the provinces under the Canada Health and Social Transfers and also for education. Particularly with Aboriginal children, significant resources are being expended on improving facilities, building proper homes and providing clean drinking water. The government is taking a host of measures to improve the lives of families and, by extension, the children of those families.

PRIME MINISTER

VISIT TO INDIA

Hon. Stephen Greene: Honourable senators, my question is for the Leader of the Government in the Senate. All honourable senators are no doubt aware of this week's visit of our Prime Minister to India, which has a rapidly growing economy. Expanding trade and deepening our economic partnership with India will benefit both our countries, creating jobs and opening doors for Canadian businesses.

Can the Leader of the Government in the Senate inform the chamber what was accomplished in this most historic trip?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank the honourable senator for his question. I think it is safe to say that the Prime Minister's visit to India was a huge success. Even the media reported that success, which is nice to see as well.

Our government, as honourable senators know, has been working hard over the past few years to enhance the ties between our country and India, and to strengthen Canada's economic presence in India, which is truly one of the world's emerging economic powers.

Our government recently opened three new trade offices in India, bringing the total to eight, making our network in India one of Canada's largest worldwide. Since our government was elected, Canada's exports to India have more than doubled and are still on the rise. However, as the Prime Minister pointed out, exports are not nearly where they should be. The Prime Minister said that in Mumbai, there is an undeniable and untapped potential in our relationship.

On Tuesday, our country signed a memorandum of understanding toward a comprehensive economic partnership agreement and a memorandum of understanding on energy cooperation. We also advanced negotiations on a nuclear cooperation agreement and a foreign investment production and promotion agreement.

Honourable senators, not only do we, as a government, feel the Prime Minister's trip was a huge success, but this fact has been borne out in the media coverage, including in the *Toronto Star*.

FOREIGN AFFAIRS

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Hon. Marcel Prud'homme: Honourable senators, needless to say, anything that improves Canada's image abroad with these emerging countries can only meet with our approval. Having been one of the founders of the Canada-China Parliamentary Association in the 1970s, I will applaud when the Prime Minister goes to China. Our former Speaker, who was then a senator, Senator Molgat, was the first chairman of that association. Having said that, I do agree; I think it is in the interests of Canada.

Continuing with what the leader described is taking place, will the Prime Minister make a supplementary effort to try to convince India to sign the non-proliferation treaty? Next week, I will probably request that we make an effort to ask Pakistan, a most dangerous, explosive place, to also sign a non-proliferation treaty. For today, I prefer to stay with one question on the non-proliferation treaty, since we will now go into details on nuclear cooperation.

I remember in the past, when Pierre Trudeau was prime minister, a caucus explosion when India used our nuclear technology to make a bomb. That event delayed closer relationships between the two countries. I rejoice that everything is now back to normal, but will the leader kindly suggest to the Prime Minister that a supplementary effort be made?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Like the honourable senator, I remember the situation in the 1970s. Canada's support for the nuclear cooperation agreement with India is a turning point in our bilateral relations. India is a responsible democracy that shares with Canada the fundamental values of freedom, democracy, human rights and respect for the rule of law.

India has made substantial non-proliferation and disarmament commitments to achieve the trust of the Nuclear Suppliers Group, commitments that were reiterated in a political statement on September 5. India has agreed to remain committed to a voluntary, unilateral moratorium on nuclear testing.

Honourable senators, notwithstanding the challenges that face this country in the neighbourhood in which it lives, India is a stable and reliable friend of our country and we have no reservations about pursuing this kind of agreement. As the Prime Minister has stated:

We have great faith in our Indian friends and partners. We are not living in the 1970s. We are living in 2009.

STATUS OF OMAR KHADR

Hon. Roméo Antonius Dallaire: Honourable senators, I hope that we are not burned twice and end up glowing in the dark with this arrangement.

• (1410)

[Translation]

My question has more to do with children. Tomorrow marks the twentieth anniversary of the signing of the Convention on the Rights of the Child. Canada also ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. In 2007, we also participated in the Paris Principles, with the goal of putting an end to the use of children as child soldiers. In July 2005, the UN Security Council passed resolution 1612, a comprehensive framework for addressing the protection of children affected by armed conflict. Canada agreed with that resolution aimed at eliminating the recruitment and use of child soldiers. Furthermore, in August 2009, the Security Council passed resolution 1882, which, once again, has to do with direct sanctions against governments that use child soldiers.

Would the Leader of the Government in the Senate not agree that Canada signed these conventions and played an active role in ratifying and implementing them?

[English]

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, when the government signs and commits to an agreement, it obviously believes in that agreement.

Senator Dallaire: I will follow up with a quote from the UN Convention on the Rights of the Child:

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind,

irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Would a Canadian child soldier fall under the premise of this convention?

Senator LeBreton: Honourable senators, it would depend on what the honourable senator's definition of "child soldier" is.

Senator Dallaire: If I can follow up, the definition in the conventions and in the UN resolutions is clear: children utilized by forces that are non-government in state are recognized as child soldiers.

With respect to the definition of child soldiers, Omar Khadr, a 15-year-old being used by force, is, in fact, a child soldier. Therefore, after signing and participating in all those conventions, why would we still want that child soldier, a Canadian, to be held in an illegal jail, which will be closed down? Why would we want him to be brought through a process rendered ineffective, inasmuch as what the American Supreme Court has said even though the process is in the United States? Why would we want that when, at worst, he could be put through the normal civilian process, which has at least 200 years of precedents?

Senator LeBreton: First, honourable senators, there is still a debate about Omar Khadr's status as a "child soldier." There are people who actually disagree with that.

My answer to this question is relatively the same as it has been all along. The Government of Canada has consistently stated that Omar Khadr faces serious charges, including murder, attempted murder, conspiracy, material support for terrorism and spying. He is accused of killing Sergeant Christopher Speer, an American medic in Afghanistan.

Our position on Omar Khadr remains unchanged from that of the two previous Liberal governments. We acknowledge the Obama administration's decision of November 13 to prosecute Mr. Khadr through the U.S. military commission system, and we believe that the American legal process should run its course. We have maintained and will continue to maintain before the courts that any decision to ask for Omar Khadr's return lies with the duly-elected Government of Canada.

Now that the American government, under the Obama administration, has indicated that they intend to proceed with the prosecution of Mr. Khadr through a U.S. military commission, there is little or nothing more that can be said about it at this time.

Senator Dallaire: Honourable senators, if I go along with the minister's definition that Omar Khadr was not a child soldier but was in a territorial conflict, why would we not want the best judicial system to prosecute that person? There is, in fact, a civilian judicial process being established in New York to handle the cases of non-soldiers. Instead of going with the ad hoc military one, which has already been discredited, why not go with the civilian one that has precedents and jurisprudence? Why are we not at least trying to do that?

Senator LeBreton: It is not a question of "we." These are decisions made by the U.S. government based on charges laid against Mr. Khadr for serious crimes against a citizen of their country. This is not a decision for us. He is a prisoner in the United States, and the United States has made a decision as to how they intend to proceed with his prosecution.

[Translation]

JUSTICE

CRIMINAL CODE—PROTECTION OF CHILDREN

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate. As the honourable senator mentioned earlier, tomorrow we will celebrate the 20th anniversary of the Convention on the Rights of the Child. Canada is a signatory to the convention, which was ratified by 193 countries, not including the United States and Somalia—another major democracy.

Section 43 of the Criminal Code of Canada dates back to 1892 and authorizes parents to use force, supposedly reasonable force, on children as a method of education.

The Council of Europe, which is comprised of 47 countries, and some countries of the Americas are presently working towards protecting children against child-rearing violence — because they recognize that it is the source of social problems such as drug use, dropping out of school, suicide and others — and 24 countries in the world have already amended their legislation to protect the physical integrity of all children in their country, not just those under 2 years of age or over 12, thus granting them the same rights as other citizens,

When will this Reform Conservative government finally repeal section 43 of the Criminal Code and once and for all provide children with the same rights as all Canadian citizens?

[English]

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): The honourable senator's question is based on a private member's bill that she has before Parliament, and, as a member of the government, I am not in a position to comment at the present time.

[Translation]

Senator Hervieux-Payette: Honourable senators, the Senate unanimously adopted a bill to amend a 117-year-old law. Given that the Leader cannot comment on what her government will do, I hope that she will endeavour to collaborate with us to accelerate the process in order to enable Canada to respect its international commitments.

[English]

Senator LeBreton: Honourable senators, there are, of course, varying opinions about the honourable senator's legislation. I believe that we, as parliamentarians, should respect our democratic processes and allow the bill to be fully studied and heard in this Parliament. Therefore, as I mentioned in my earlier answer, I will not comment further.

HEALTH

H1N1 FLU VACCINE

Hon. Elizabeth Hubley: Honourable senators, in response to a question from the Leader of the Opposition last week, the Leader of the Government in the Senate indicated that the government is following a pandemic plan in the rollout of the H1N1 vaccine.

Could the minister indicate how the plan addresses the challenge of vaccinating all vulnerable populations? For example, single mothers with young children, especially in rural areas, in many cases may not have the means to get their children to the designated clinic in their region at the appropriate time. Homeless persons, street persons and other members of our population may face a variety of challenges in gaining access to the vaccine.

• (1420)

What steps has the government taken to ensure all vulnerable groups in our society will have access to the H1N1 vaccine?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, the federal government, provinces and territories have worked together with a plan to ensure that all Canadians who wish to be vaccinated are.

The first few weeks of the rollout were targeted to priority groups. I mentioned the day before yesterday in response to a question from Senator Rivest that there has been a very good success rate in the more remote communities of Canada. The actual delivery of the vaccine is, of course, the responsibility of the provinces, and they have done an excellent job. In fact, some jurisdictions have almost completed their vaccinations.

This week — and I can only speak from my own knowledge in the Ottawa area — there has been tremendous support from community services groups to vaccinate homeless people. The various social services agencies and governments have provided their citizens with phone numbers and access points where they can call for assistance.

I think all provinces and territories will certainly do everything they can to ensure everyone who wants to be vaccinated is vaccinated, including the most vulnerable and those who may have the most difficult time accessing the vaccine.

Senator Hubley: Honourable senators, last week the minister indicated — in fact she emphasized — that the pandemic plan was supposed to ensure that the most vulnerable were the first to receive the vaccine, yet we hear of professional sports teams being sent to the front of the line.

What steps has the government taken to protect the principle that the most vulnerable go first? What steps has it taken to ensure that the principle is respected where the federal government is responsible for health-care delivery to Aboriginal peoples, to the Armed Forces and to the corrections population?

Senator Munson: Protect us from hockey players.

Senator LeBreton: I believe Senator Hubley will find that the federal government and the provincial and territorial governments have done just that.

[Translation]

DELAYED ANSWER TO ORAL QUESTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting a delayed answer to an oral question raised by Senator Mercer on October 8, 2009, concerning labour, reduced services in Nova Scotia.

FISHERIES AND OCEANS

REDUCED SERVICES IN NOVA SCOTIA

(Response to question raised by Hon. Terry M. Mercer on October 8, 2009)

HRSDC — The Minister of Labour is dedicated to ensuring that the health, safety and labour standards rights of all federally regulated employees are protected in accordance with the *Canada Labour Code*.

The Labour Program currently has eight funded inspector positions in Nova Scotia — three of which are dedicated to health and safety issues and five to labour standards.

Health and safety in the workplace is of paramount importance. Workplaces need to be safe in order for Canadian workers to thrive and to make Canadian businesses competitive. The Honourable Rona Ambrose, Minister of Labour, has offered assurance that the Labour Program in the Atlantic Region will continue to ensure as it always has, that all federally regulated employers receive the same high standard of service in accordance with the *Canada Labour Code*, including those in eastern Nova Scotia and Cape Breton.

[English]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, it is the responsibility of the chair to maintain order and ensure that the proceedings of the house remain faithful to the rules and to the guidance we get from procedural literature. The use of supplementary questions during Question Period has come to my attention.

All honourable senators have the right to raise questions. The time by our rules is limited. The chair feels uncomfortable knowing that a number of senators who have indicated they would like to ask questions are being trumped by many supplementary questions. In fairness to all honourable senators who have the right to ask questions, it is important that we review the ground upon which supplementary questions are in order.

Page 354 of the 23rd edition of Erskine May states:

A supplementary question may refer only to the answer out of which it immediately arises, must not be read or be too long, must not refer to an earlier answer or be addressed to another . . .

The point is that bona fide supplementary questions must really be targeted and focused on information that has been apprehended as a result of the response by either a chair of a committee or the minister in the house. I simply draw this to the attention of honourable senators.

ORDERS OF THE DAY

ECONOMIC RECOVERY BILL (STIMULUS)

SECOND READING—DEBATE ADJOURNED

Hon. Irving Gerstein moved second reading of Bill C-51, An Act to implement certain provisions of the budget tabled in Parliament on January 27, 2009 and to implement other measures.

He said: Honourable senators, we have before us today a monumental piece of legislation: Bill C-51, the economic recovery bill.

This important legislation will implement key components of Canada's Economic Action Plan, which is the government's powerful and comprehensive response to the extraordinary global recession, the severity of which took economists and governments around the world by surprise during the past year.

The economy is Canadians' number one priority, and the economy is this government's number one priority.

Some Hon. Senators: Hear, hear!

Senator Gerstein: The government's Economic Action Plan has several key components, including new and accelerated investments in infrastructure; targeted tax measures to put money in the pockets of Canadian families and provide incentives for them to engage in economic activity; improvements to the Employment Insurance system to support those in greatest need; and investments in research and development.

The Conservative government's economic plan is really an unprecedented program in terms of its comprehensive scope, its massive size and the speed of its implementation.

Some Hon. Senators: Hear, hear!

Senator Gerstein: It is a most powerful response to a most serious problem.

Although the recession began outside our borders, it has nevertheless had a pronounced effect on Canada. As CIBC World Markets economist Benjamin Tal so aptly described the situation:

This recession was not made in Canada; we are basically second-hand smokers.

This is a global recession. All countries, including Canada, are feeling its effects. However, as Parliamentary Budget Officer Kevin Page stated in his recent economic and fiscal assessment update:

Thus far the Canadian economy has weathered the global recession better than most economies . . .

Canada has fortunately fared better than the United States which is, in many respects, the epicentre of the global recession. The U.S., our largest trading partner, continues to experience painful economic difficulties: 22 straight months of job losses; a 26-year high in the unemployment rate; nearly 10 million American workers whose jobs have vanished; nearly 120 failed banks this year alone. The tragic list goes on.

In Canada, we have much more stable job markets and financial institutions. The Conservative government appreciates that every single job loss in our economy means a painful ordeal for a Canadian family.

• (1430)

However, to keep things in perspective, our current unemployment rate is not only significantly lower than the U.S. rate, it is also significantly lower than Canada's average unemployment rate throughout the 1990s, even though we were not in a recession for most of that decade. There are other reasons to be proud of how our economy has performed during this global recession. Other developed countries have come to regard Canada's financial sector as a model of stability. To quote American President Barack Obama:

. . . in the midst of this enormous economic crisis, I think Canada has shown itself to be a pretty good manager of the financial system . . . and I think that it is important for us to take note of. . . .

Canadian governments, both the current one and, to their credit, the previous one, made large payments against Canada's national debt in the years prior to the onset of this recession at a time when other industrialized countries were running large deficits. The current government paid off almost \$40 billion of debt from the time it took office in 2006 to the start of the recession less than three years later. Our aggressive debt repayment, along with targeted spending and major tax reductions, allowed Canada to enter the current global recession with strong economic fundamentals that have become the envy of the world, fundamentals that will help Canada emerge from the current downturn in a position of strength.

This view is supported by BMO economist Doug Porter who remarked earlier this year:

... Canada did go into this downturn with almost pristine fundamentals. Those pristine fundamentals do suggest that Canada will hold up better than other economies and probably will emerge stronger than other economies.

However, while Canada's economic fundamentals may be among the most solid in the world, our government recognizes that we cannot simply rest on past achievements. As humorist Will Rogers once noted, even if you are on the right track, you will get run over if you just sit there.

That is why the Conservative government tabled the earliest budget in Canadian history this past January, the budget that outlined Canada's Economic Action Plan. With our action plan, we have provided \$61 billion to boost the Canadian economy. This amount includes funds to improve infrastructure like roads, bridges, public transit, public buildings, recreational facilities and green energy; measures to ease the tax burden on Canadian families; support for those Canadians who have been hit hardest by the recession in the form of retraining opportunities and enhancements to the Employment Insurance system; and investments in research and development to build our economy for the future.

Since unveiling the Economic Action Plan in January, our government has worked tirelessly to get this money out the door and into the Canadian economy. As a result of that work, over 90 per cent of the stimulus funds budgeted for the current fiscal year has already been committed. This is a remarkable achievement that is getting results for our economy and helping Canadian families. We estimate that 220,000 jobs will be saved as a result of our Conservative government's actions. The OECD has said:

Canada's fiscal stimulus package should have a relatively large effect in stemming job losses.

In addition, 160,000 people are benefiting from the extension of the federal work-sharing program by up to 14 weeks and the increased access to that program through greater flexibility in the qualifying criteria. These enhancements to the federal work sharing program allow companies to keep employees they would otherwise have had to let go. Canada's economic recovery bill is an extension of the Economic Action Plan. It will bring into law diverse measures that will support a sustained economic recovery.

These measures include the Home Renovation Tax Credit, which will provide up to \$1,350 in tax relief to Canadians who make qualified renovations to their houses; the First Time Buyers' Tax Credit, which will help young Canadians to buy their first home with up to \$750 in tax relief; amendments to the Customs Tariff to relax the conditions relating to temporarily imported shipping containers; amendments to the Canada Pension Plan that were agreed upon by all federal, provincial and territorial finance ministers; a requirement for federal departments and Crown corporations to prepare and publish quarterly financial reports; the resolution to the Nova Scotia Crown share settlement; enhancement to the Working Income Tax Benefit;

extension of the existing tax deferral for farmers in regions affected by drought to those regions affected by flood or excessive moisture; and increasing CBC's borrowing authority to secure the future of public broadcasting.

I would like to explain a few of these key initiatives in greater depth.

First, let me talk about the Home Renovation Tax Credit, or HRTC. The HRTC has proved enormously popular among Canadians from coast to coast. This measure encourages Canadians to invest in the long-term value of their houses. However, I want to reassure my Liberal colleagues that although this measure encourages the renovation of houses throughout Canada, it does not, and I emphasize it does not, apply to any renovation of this upper house. Although many Canadians seem to agree that this dear old place is in need of important structural work, honourable senators, that is a discussion for another day.

Some Hon. Senators: Hear, hear!

Senator Gerstein: The kind of house renovation provided by Bill C-51 is the kind that increases the demand for labour, building materials and other goods and services; stimulating employment in skilled trades, the retail sector and other important areas of the economy. The Home Renovation Tax Credit is a temporary measure that provides an immediate incentive for Canadians to undertake new renovations or accelerate planned projects. Given the tremendous public interest in this tax credit, it is not surprising that the volume of home renovation investment increased 2.2 per cent in the second quarter of 2009, that is, 9 per cent on an annualized basis, even as the overall economy contracted.

During its study of this bill, the House of Commons Standing Committee on Finance heard witness after witness speak very highly of the positive impact of the Home Renovation Tax Credit on the Canadian economy. Gary Friend, the President of Canadian Home Builders Association, told the Commons committee on November 3:

The HRTC is having a significant and positive effect on the level of home renovation activity across the country. In their work with customers, renovators report that the HRTC is a significant factor in motivating homeowners to initiate home renovation projects.

In short, the experience of our industry is that HRTC is stimulating a significant level of economic activity.

At the same meeting, Michael Rowe, the CFO of Home Depot Canada, also spoke of how the HRTC had stimulated local economies across the country. He said:

Since the Government of Canada announced the tax credit as an economic stimulus measure in the 2009 federal budget, Home Depot Canada can attest that it has been a motivating force for customers.

From the beginning the HRTC captured Canadians' interest. But the HRTC has done more than capture interest; it kept many contractors in work and put other contractors back to work. It restored consumer confidence, improved

retail sales, and directly and positively enhanced the sustainability and growth of the Canadian home improvement industry.

The economic recovery act also provides important help to Canada's hardworking farmers by extending existing tax deferral in select communities affected by extreme weather conditions. Laurent Pellerin, President of the Canadian Federation of Agriculture, has applauded this important provision, saying:

This announcement is welcome news in assisting not only Manitoba livestock producers affected in the summer of 2008 get back on their feet, but it also has the potential to assist all Canadian livestock producers who may find themselves in the unfortunate position of having to liquidate their herds due to weather related events in the future.

Canada's economic recovery act also helps low-income Canadians by expanding the Working Income Tax Benefit. Obtaining employment can sometimes adversely affect individuals on social assistance through higher taxes and reduced income support. The Working Income Tax Benefit makes it easier for Canadians in that position to move beyond social assistance and rejoin the economy. The economic recovery bill will enhance the Working Income Tax Benefit by \$580 million for 2009 and subsequent years. It is expected that more than one and a half million Canadians will benefit from this enhancement of the Working Income Tax Benefit for 2009 alone.

• (1440)

However, I cannot help but observe, honourable senators, that Liberal members in the other place opposed the initial creation of the Working Income Tax Benefit in Canada by our Conservative government in 2007 and the improvement to it in this legislation, Bill C-51. It is my sincere hope that honourable colleagues in this place, the chamber of sober second thought, will take a more enlightened and less partisan view of this initiative.

To that end, I would like to recommend to all honourable senators a paper entitled *Agenda for Nation Building* published in 2006, and I quote from it directly:

If implemented, the working income tax benefit has the capacity to eliminate absolute poverty for all Canadian families. No other measure would do more to strengthen the spine of equal citizenship.

One would hope that the author of such strong words would stand behind them and do everything in his or her power to actually encourage the adoption or expansion of a Working Income Tax Benefit. Sadly, this author did not. Who was this author, you ask. None other than the current leader of the Liberal Party of Canada.

Some Hon. Senators: Oh, oh!

Senator Gerstein: It is my ardent hope that honourable senators will heed the words of praise heaped on the working income tax credit by the Liberal leader, even if he did not heed them himself.

The initiatives I have just described, the Home Renovation Tax Credit, the extension of tax deferral for farmers impacted by severe weather and the enhancement of the working income tax credit are but a few of the numerous positive measures contained in the important bill that is before us today. The measures in the economic recovery bill will help nurture Canada's fragile economic recovery and support those who have been impacted by the recession. I emphasize the fragile nature of the Canadian and global recovery.

Despite recent positive indicators, it is far too early to declare victory. We must remain focused on the economy. We must stay the course.

As the G20 finance ministers and central bank governors declared in the communiqué following their recent meeting in the United Kingdom:

Economic and financial conditions have improved following our coordinated response to the crisis. However, the recovery is uneven and remains dependent on policy support, and high unemployment is a major concern. To restore the global economy and financial system to health, we agreed to maintain support for the recovery until it is assured.

This Conservative government is focused on doing exactly that. Unfortunately, while we are focused on navigating the rocky shoals of the global recession, the Liberal leader is putting his effort into a mutiny that would put us on a dangerous course toward an unnecessary election.

Liberal members in the other place have decided to vote against any and all important legislation in a desperate attempt to force an election that could put Canada's economy aground. Canadians have given a collective thumbs down to such self-serving political gamesmanship and, fortunately, so have the majority of members in the other place.

Catherine Swift, CEO of the Canadian Federation of Independent Business, recently expressed the outrage of Canadians far better than I could when she said, "All we need is a stupid election to put things right back in the tank. What we need is certainty. Elections do not produce certainty." With the economy turning right now, this is a bad time to have an election, that we are just seeing things come back; we are just seeing confidence come back.

I call upon all senators to pay close attention to the words of Catherine Swift and vote "yes" to Canada's economic recovery act and help keep Canada on the course the government has charted toward sustained economic growth.

Hon. Lowell Murray: Would the honourable senator, the sponsor of the bill, accept a question?

Senator Gerstein: Certainly.

Senator Murray: My honourable friend flagged as one of the elements of this bill, but did not elaborate upon, the question of the Crown shares agreement between the federal government and the Province of Nova Scotia. I do not expect him to extemporize

on the matter today, and I probably should not do so. However, I would ask him to alert government officials, ministers or parliamentary secretaries that when they come to the committee, someone on the committee may want an explanation of what has happened to one of the provisions of an agreement signed in July 2008 between the Honourable Peter MacKay, representing the federal government, and the then Premier of Nova Scotia, the Honourable Rodney MacDonald.

One of the provisions of that agreement of July 2008 was that within 90 days the two parties would have settled upon a formula for the Crown shares payment going forward. The 90-day deadline came and went without such a formula-based agreement having been achieved, and indeed it still has not been achieved so far as I know. What has happened is that the two parties agreed on a payment for one year. This suggests to me that Nova Scotia will have to come to the table every year to arm wrestle with officials of the Department of Finance for its share under the Crown shares agreement.

I would hope the officials or ministers might be able to enlighten the committee on when there will be in place the formula-based permanent agreement going forward that was agreed to in July 2008.

Senator Gerstein: I thank the senator. I shall certainly pursue that question.

[Translation]

Hon. Roméo Antonius Dallaire: Honourable senators, I have another question. During the Great Depression of the early 1930s, General McNaughton presented the government of the day with a process whereby employment was guaranteed to a number of Canadians at a rate of 20 cents a day for massive reconstruction of the country's military infrastructure.

Is the senator able to tell us whether military heritage infrastructure, which dates back several hundred years in the old capital, is today a priority when it comes to investing in protecting and restoring this military heritage, as was the case almost 60 years ago?

• (1450)

[English]

Senator Gerstein: The essential thing to understand about Bill C-51 is that it will implement popular and effective elements of Canada's Economic Action Plan which, in particular, is the Home Renovation Tax Credit, the First-Time Home Buyers' Tax Credit, and expanding the Working Income Tax Benefit, and extended tax deferrals for livestock producers affected by drought and flooding.

The honourable senator has also raised an important issue. I will be delighted to look into it.

[Translation]

Hon. Claudette Tardif (Deputy Leader of the Opposition): Would the honourable senator take another question?

[Senator Murray]

An article in the November 17, 2009, edition of the newspaper *Le Droit* indicated that the cuts proposed in Bill C-51 would cut Canada Pension Plan benefits by between 2 per cent and 9 per cent for individuals who retire before the age of 65.

Could Senator Gerstein confirm that the proposed changes in Bill C-51 will affect the retirement incomes of many Canadians?

[English]

Senator Gerstein: Thank you for that question. I will be pleased to look into it.

The Hon. the Speaker: Is there continuing debate?

(On motion of Senator Tardif, debate adjourned.)

OFFICE OF THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS ACT

BILL TO AMEND—SECOND READING— SPEAKER'S RULING RESERVED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Pélipin, for the second reading of Bill S-241, An Act to amend the Office of the Superintendent of Financial Institutions Act (credit and debit cards).

The Hon. the Speaker: Honourable senators, we will continue receiving advice from honourable senators on the point of order raised by the Honourable Senator Oliver.

Hon. Pierrette Ringuette: Honourable senators, I rise today to address the point of order raised by Senator Oliver on Tuesday of this week regarding Bill S-241, which I originally introduced on October 6, 2009.

Senator Oliver, supported by Senator Comeau, contends that Bill S-241 represents provisions of new spending by the Government of Canada, requiring a Royal Recommendation and, therefore, violates the Constitution Act, 1867, as well as the *Rules of the Senate*.

I appreciate that my colleagues, Senator Fraser, Senator Tardif, Senator Banks and Senator Cools, also made interventions on this issue and hope not to spend too much of the chamber's time in repeating the valid points that my colleagues have already made.

In addition to Senator Oliver not being able to identify which clause of the bill is an appropriation clause, I want to address the specific points raised by Senator Oliver in his intervention. At page 1714 of the *Debates of the Senate*, he stated:

Bill S-241 would add an additional purpose to the Office of the Superintendent of Financial Institutions by creating an oversight body to monitor and make recommendations about the use of credit and debit cards in Canada.

Senator Oliver inserts the word “creating,” where it does not exist in the bill itself. In fact, the bill reads:

An additional purpose of this Act is to provide an oversight body to monitor and make recommendations relating to the use of credit and debit cards in Canada, as provided for under section 7.2.

The oversight body referred to in Bill S-241 is the Office of the Superintendent of Financial Institutions itself. I assure all honourable senators that I am conscious of the demands on the taxpayers’ money and that the purpose of this legislation is to ensure that the current resources of the Government of Canada are used in the best possible manner.

Senator Comeau, in support of Senator Oliver’s point of order, also stated the following, at page 1715 of the *Debates of the Senate*:

If we decide, as a chamber, that we ought to pass this bill, obviously we would have to look at creating a Superintendent of Financial Institutions. This involves spending money and creating a new oversight body. Accomplishing the purpose of the bill involves spending money.

I hope that I am simply misunderstanding the comments made by Senator Comeau in this regard, because as I am sure he is no doubt aware, the Office of the Superintendent of Financial Institutions already exists. OSFI is an independent agency of the Government of Canada. It was established in 1987. It reports to the Minister of Finance and it currently employs some 400 full-time staff for its regulatory functions.

Before ruling on this matter, I hope that Your Honour will consider some precedents on this matter — not merely precedents from the other place, as cited by Senator Oliver, but precedents that Your Honour has established as our Speaker.

In your ruling on a similar point of order raised regarding Bill S-201, you stated on February 24, 2009, on page 237 of the *Debates of the Senate*:

While one might suspect that there will be expenses as the bill is implemented, the bill itself does not require or authorize them. Whether they are incurred would depend on separate decisions as to how the measure is implemented. If new monies are deemed necessary as the project advances, they would be provided by the normal funding process.

I also point out that Erskine May, 23rd edition, is clear, on page 888, that a Royal Recommendation may not be required if “liability arises as an incidental consequence from a proposal to apply or modify the general law.”

I also remind Your Honour that a number of your rulings on these specific issues raised in the past have erred on the side of allowing senators in this chamber the greatest latitude in continuing debate on a particular issue.

In considering these arguments, and all other arguments raised by honourable senators with respect to this point of order, I respectfully suggest that if Your Honour were to accept the

position put forward by Senator Oliver, it would be relatively impossible for any bill to be proposed in this chamber. Few initiatives are proposed that do not involve the expenditure of at least some money by the Government of Canada. However, without debating the specific merits of Bill S-241, I believe I have proposed measures that would benefit consumers and businesses across Canada at a minimal administrative cost to the Canadian taxpayer.

I want to thank Your Honour and all my honourable colleagues for allowing me the opportunity to address this matter, but I believe that, based on precedence and the rules of our chamber, Senator Oliver has not established his point of order, and debate on the motion for second reading of Bill S-241 should continue.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I come back to the main point that Senator Oliver raised yesterday, namely, that Bill S-241 will authorize a brand new purpose under a pre-existing act.

• (1500)

Honourable senators, I draw your attention to clause 1 of the bill which proposes to renumber section 3.1 of the Office of the Superintendent of Financial Transactions Act to subsection 3.1(1) and amend it by adding the following:

(2) An additional purpose of this Act is to provide for an oversight body to monitor and make recommendations relating to the use of credit and debit cards in Canada, as provided for under section 7(2).

The intent of the bill is explicit. Clause 1(2) proposes a brand new purpose for an existing act.

I come back to a point raised yesterday by Senator Cools, who said that for a bill to be considered a money bill, it must propose to appropriate money. I draw senators’ attention to page 833 of *O’Brien and Bosc*, which states:

In general, there are two types of bills which confer parliamentary authority to spend and therefore would require a Royal Recommendation:

- appropriation acts, or supply bills, which authorizes charges against the Consolidated Revenue Fund up to amounts approved in the estimates; and
- bills which authorize new charges for purposes not anticipated in the estimates. The charge imposed by the legislation must be “new and distinct”; in other words, not covered elsewhere by some more general authorization.

Honourable senators, it is quite clear that Bill S-241 fits this latter category and, therefore, requires a Royal Recommendation and is, therefore, out of order.

Hon. Anne C. Cools: Honourable senators, I thank Senator Ringuette for her offerings today. I reiterate my statement earlier this week about the importance, in particular for senators’ private member’s bills, of giving the proponent of the bill an indication

that a point of order will be raised. It is a well-known principle of the common law that any person impugned or questioned should be allowed to answer. As private members we may surprise the government, but I have a problem with a private member doing so to another private member. Notification is a desirable practice.

It is time for the Senate to regain its grip on the phenomenon of Royal Recommendations and when they are required. Too many bills pass through this place with too many Royal Recommendations. For many years, the Royal Recommendation has been used as a technique to inhibit and prohibit senators from making amendments to bills. An uninformed person on the government side would say that a bill could not be amended because it needed a Royal Recommendation. That is simply plain nonsense. It is time for the Senate to look at this in a broader study.

Honourable senators, the onus is on the senator raising the point of order to prove his or her case, and not on the proponent of the bill to disprove the charge. Thus, the onus is on Senator Oliver, not Senator Comeau, to identify clearly the clauses of the bill that propose to appropriate monies. In Tuesday's *Debates of the Senate* I mentioned several times "appropriation clauses." At times, I said "appropriating clauses," because I use the two words interchangeably. All bills that come before the Senate need the spending of some amount of money. Spending is not appropriating.

I was just browsing as I was trying to make careful notes on the arguments and to see what new information was coming forward, but I do have in my hand paragraph 613 from Beauchesne's *Rules & Forms of the House of Commons of Canada*, sixth edition. I would like to put paragraph 613 on the record. It is from the paragraphs entitled "Legislation not requiring Royal Recommendation." Paragraph 613 at page 186 reads as follows:

A bill, which does not involve a direct expenditure but merely confers upon the government a power for the exercise of which public money will have to be voted by Parliament, is not a money bill, and no Royal Recommendation is necessary as a condition precedent to its introduction.

I hope that His Honour will find this citation helpful in his deliberations. I have no doubt that His Honour will exercise at length on this matter and apply some of that great awareness and knowledge that has come from years of reading and study. It is my view that Bill S-241 is not a money bill and does not require a Royal Recommendation.

I point out to honourable senators that the term "money bill," though used a great deal lately, is not a helpful phrase for the Canadian system. The term belonged to the U.K.'s Parliament Act, 1911, and was thus employed. It has never been employed in any acts in Canada. In the U.K., it is a certification from the Speaker of the House of Commons, who names and identifies a money bill. The term is not useful or helpful within the Canadian system and someone should tell that to some of the authors of these papers.

[Senator Cools]

The important point in senators' private member's bills is to allow as wide a debate as possible. Introducing a private member's bill entails a great expenditure of time, effort and energy. This place should support and freely debate such bills whenever possible, and encourage senators to introduce more rather than fewer of them.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I refer to two Speaker's rulings presented to the house. One was in the Thirty-ninth Parliament, Second Session, when His Honour ruled that Bill S-234, An Act to establish an assembly of the Aboriginal peoples of Canada and an executive council, did not require a Royal Recommendation because it "set up a legal framework for subsequent action" and that if it was passed, "the Crown would not actually be obliged to give the necessary Recommendation, so its initiative would not be impaired." Bill S-241 simply structures how an authorized agency will perform its functions. It does not provide the appropriation of funds.

The second Speaker's ruling was on Bill S-203, of which "clause 2, expands the purposes of the Business Development Bank of Canada." His Honour ruled that "the bank does not contain any provisions appropriating money; indeed it is not immediately evident how often the bank receives appropriations. Although the bill might impose some administrative burdens, arguments did not establish that the new responsibilities would automatically incur new public expenditures or could not be accommodated by reallocating existing resources."

Therefore, in light of these precedents, I believe that there is no valid point of order.

• (1510)

The Hon. the Speaker: I thank all honourable senators for their assistance in dealing with this point of order. I will take it under consideration and report as soon as practicable.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE PROMOTION OF CANADIAN IDENTITY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Eaton, seconded by the Honourable Senator Gerstein:

That the Standing Senate Committee on Social Affairs, Science and Technology undertake a study examining the promotion of Canadian identity, integration and cohesion with a working title of *Who We Are: Canadian Identity in the 21st Century*.

Hon. Art Eggleton: Honourable senators, this is a motion by Senator Eaton proposing a study by the Standing Senate Committee on Social Affairs, Science and Technology to examine the promotion of Canadian identity, integration and cohesion with a working title of "Who We Are: Canadian Identity in the 21st Century."

The senator presented this motion back on June 4. I have held it in my name to discuss with her the intent with respect to the motion and to try to flesh out some of the thoughts and ideas about where this might go and, in addition, to discuss it with committee. We did that this morning, and the comments were generally supportive of proceeding with this matter.

Senator Eaton and I personally think it could be a valuable study. When Senator Eaton earlier talked about Remembrance Day, she noted that in fact only four provinces in this country have courses in their high schools in Canadian history. I think that is deplorable, and I believe most of us would. In fact, the occasional surveys and polls that are taken to try to indicate what Canadians know about the history of this country produce some very disappointing results. It is appalling. Few people know who the first Prime Minister of this country was or many of the leaders of governments of the past, including John A. Macdonald and Wilfrid Laurier. They do not seem to know a lot about Vimy Ridge or Frederick Banting or many of the other people and events that have helped shape this country. We need to see some improvement.

I notice the new citizenship guide gets deeper into matters of history, and I think that is good. It can be valuable for new arrivals in this country. If they are now suggesting that they be tested based on the information in that document, new Canadians will end up knowing more about Canada than many people who were born here.

This kind of study can help generate a greater understanding of who we are and our history. Some of that, such as what happens in schools, is essentially a matter of provincial jurisdiction, but citizenship is federal jurisdiction. Citizenship education is a valuable role for the federal government. Some recommendations along those lines may help generate more of an understanding in our school systems in this country.

The matter of Canadian identity raises questions: What is that? We have many people from many different lands. We are, as we say, a country of immigrants. We all have different backgrounds and perspectives. It is not easy to pin down what that identity is. The kind of work that this study could generate would be valuable for giving us a better appreciation and understanding of what we are about in this country, our basic values and a greater knowledge of our history.

The senator knows, as the committee discussed this morning, that this is not something we can do immediately. We do have other mandates from the Senate. Post-secondary education is one of them, and the committee has just completed the first segment on the ongoing study of our cities — poverty, housing and homelessness — and will now enter into further segments of that particular mandate. It is our hope that we can start some parts of it in the not-too-distant future and get it more formally and fully under way upon completion of the post-secondary education study.

I intend to support the motion by Senator Eaton.

Hon. Anne C. Cools: Honourable senators, this motion is curious in that it does not suggest just a subject for study, but proposes to name specifically the title the study should take. It

seems to me that that is something that should be worked out during the study. The more interesting thing is that there is very little in this motion as articulated that gives direction or an indication of the guidelines to be followed. For example, there is no date for the committee to report by. I, for one, am reluctant to agree immediately that a study be undertaken wherein the committee could report whenever it feels like it. Perhaps some of these questions have been discussed in the committee, but it is usually right and proper that a committee should have more substantial guidance. I will take the adjournment of the debate and look at whether the motion needs to be amended.

(On motion of Senator Cools, debate adjourned.)

• (1520)

[Translation]

THE SENATE

MOTION TO URGE GOVERNMENT TO ENGAGE IN CONSULTATIONS ON SENATE REFORM— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Brown:

That the Senate embrace the need to consult widely with Canadians to democratize the process of determining the composition and future of the Upper Chamber by urging the Government to:

- (a) invite all provincial and territorial governments in writing to assist immediately in the selection of Senators for appointment by democratic means, whether by holding elections to fill Senate vacancies that might occur in their province or territory or through some other means chosen by them;
- (b) institute a separate and specific national referendum on the future of the Senate, affording voters the chance to choose abolition, status quo, or an elected Upper Chamber; and
- (c) pursue the above initiatives independently of any legislation that it may introduce in this Parliament for reforming the existing term and method of appointment of Senators;

And on the motion of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Wallin, that the original question be now put.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I see that this motion is on day 14. I have not concluded my research on the subject, and I move adjournment of the debate.

(On motion of Senator Tardif, debate adjourned.)

SCIENTIFIC RESEARCH**INQUIRY—DEBATE CONTINUED**

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cowan calling the attention of the Senate to the critical importance of scientific research to the future of Canada and to the well-being of Canadians.—(*Honourable Senator Day*)

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, Senator Day has not had the opportunity to complete his study of the subject of this inquiry and I therefore ask to adjourn this matter in his name.

(On motion of Senator Tardif, for Senator Day, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY**MOTION TO AUTHORIZE COMMITTEE TO STUDY
IMPLEMENTATION OF GUARANTEED ANNUAL
INCOME SYSTEM—DEBATE CONTINUED**

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Oliver:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the implementation of a guaranteed annual income system, including the negative income tax model, as a qualitative improvement in income security, with a view to reducing the number of Canadians now living under the poverty line;

That the Committee consider the best possible design of a negative income tax;

That the Committee submit its final report no later than December 31, 2009; and

That the Committee retain all powers necessary to publicize its findings until 90 days after the tabling of the final report.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have not had the opportunity to complete my study of this motion. Therefore, I move the adjournment of the debate.

(On motion of Senator Comeau, debate adjourned.)

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, November 24, 2009, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, November 24, 2009, 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, 40th Parliament)

Thursday, November 19, 2009

*(*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 Customs Act	09/01/29	09/03/03	National Security and Defence	09/03/31	1	09/04/23	09/06/11*	10/09
S-3	An Act to amend the Energy Efficiency Act	09/01/29	09/02/24	Energy, the Environment and Natural Resources	09/03/11	0	09/03/12	09/05/14*	8/09
S-4	An Act to amend the Criminal Code (identity theft and related misconduct)	09/03/31	09/05/05	Legal and Constitutional Affairs	09/06/09	5	09/06/11	09/10/22*	28/09
S-5	An Act to amend the Criminal Code and another Act	09/04/01							
S-6	An Act to amend the Canada Elections Act (accountability with respect to political loans)	09/04/28							
S-7	An Act to amend the Constitution Act, 1867 (Senate term limits)	09/05/28							
S-8	An Act to implement conventions and protocols concluded between Canada and Colombia, Greece and Turkey for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	09/11/18							

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act to implement the Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway, Switzerland), the Agreement on Agriculture between Canada and the Republic of Iceland, the Agreement on Agriculture between Canada and the Kingdom of Norway and the Agreement on Agriculture between Canada and the Swiss Confederation	09/03/31	09/04/22	Foreign Affairs and International Trade	09/04/23	0	09/04/28	09/04/29*	6/09

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-3	An Act to amend the Arctic Waters Pollution Prevention Act	09/05/05	09/05/13	Transport and Communications	09/05/28	0	09/06/02	09/06/11*	11/09
C-4	An Act respecting not-for-profit corporations and certain other corporations	09/05/05	09/06/10	Banking, Trade and Commerce	09/06/22	0 observations	09/06/23	09/06/23*	23/09
C-5	An Act to amend the Indian Oil and Gas Act	09/04/21	09/04/23	Aboriginal Peoples	09/05/05	0	09/05/06	09/05/14*	7/09
C-6	An Act respecting the safety of consumer products	09/06/16	09/10/07	Social Affairs, Science and Technology					
C-7	An Act to amend the Marine Liability Act and the Federal Courts Act and to make consequential amendments to other Acts	09/05/14	09/06/03	Transport and Communications	09/06/18	0 observations	09/06/22	09/06/23*	21/09
C-9	An Act to amend the Transportation of Dangerous Goods Act, 1992	09/03/26	09/04/28	Transport and Communications	09/05/07	1	09/05/13 Message from Commons-agree with Senate amendment 09/05/14	09/05/14*	9/09
C-10	An Act to implement certain provisions of the budget tabled in Parliament on January 27, 2009 and related fiscal measures	09/03/04	09/03/05	National Finance	09/03/12	0	09/03/12	09/03/12*	2/09
C-11	An Act to promote safety and security with respect to human pathogens and toxins	09/05/06	09/06/02	Social Affairs, Science and Technology	09/06/22	0 observations	09/06/23	09/06/23*	24/09
C-12	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. 4, 2008-2009</i>)	09/02/12	09/02/24	—	—	—	09/02/26	09/02/26	1/09
C-14	An Act to amend the Criminal Code (organized crime and protection of justice system participants)	09/04/28	09/05/27	Legal and Constitutional Affairs	09/06/18	0	09/06/22	09/06/23*	22/09
C-15	An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts	09/06/09	09/09/17	Legal and Constitutional Affairs					
C-16	An Act to amend certain Acts that relate to the environment and to enact provisions respecting the enforcement of certain Acts that relate to the environment	09/05/14	09/05/27	Energy, the Environment and Natural Resources	09/06/11	0 observations	09/06/16	09/06/18	14/09
C-17	An Act to recognize Beechwood Cemetery as the national cemetery of Canada	09/03/10	09/03/12	Social Affairs, Science and Technology	09/04/02	0	09/04/02	09/04/23*	5/09
C-18	An Act to amend the Royal Canadian Mounted Police Superannuation Act, to validate certain calculations and to amend other Acts	09/05/12	09/05/28	National Finance	09/06/11	0 observations	09/06/16	09/06/18	13/09
C-21	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. 5, 2008-2009</i>)	09/03/24	09/03/25	—	—	—	09/03/26	09/03/26*	3/09

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-22	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 (<i>Appropriation Act No. 1, 2009-2010</i>)	09/03/24	09/03/25	—	—	—	09/03/26	09/03/26*	4/09
C-24	An Act to implement the Free Trade Agreement between Canada and the Republic of Peru, the Agreement on the Environment between Canada and the Republic of Peru and the Agreement on Labour Cooperation between Canada and the Republic of Peru	09/06/04	09/06/09	Foreign Affairs and International Trade	09/06/16	0 observations	09/06/17	09/06/18	16/09
C-25	An Act to amend the Criminal Code (limiting credit for time spent in pre-sentencing custody)	09/06/09	09/06/16	Legal and Constitutional Affairs	09/10/08 Report defeated 09/10/20	2 (defeated)	09/10/21	09/10/22*	29/09
C-26	An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime)	09/06/16	09/10/29	Legal and Constitutional Affairs					
C-28	An Act to amend the Cree-Naskapi (of Quebec) Act	09/05/27	09/06/04	Aboriginal Peoples	09/06/09	0	09/06/10	09/06/11*	12/09
C-29	An Act to increase the availability of agricultural loans and to repeal the Farm Improvement Loans Act	09/05/27	09/06/09	Agriculture and Forestry	09/06/11	0	09/06/16	09/06/18	15/09
C-32	An Act to amend the Tobacco Act	09/06/17	09/09/16	Social Affairs, Science and Technology	09/10/01	0	09/10/06	09/10/08*	27/09
C-33	An Act to amend the War Veterans Allowance Act	09/06/04	09/06/09	National Security and Defence	09/06/17	0	09/06/18	09/06/18	20/09
C-38	An Act to amend the Canada National Parks Act to enlarge Nahanni National Park Reserve of Canada	09/06/17	09/06/17	Energy, the Environment and Natural Resources	09/06/18	0	09/06/18	09/06/18	17/09
C-39	An Act to amend the Judges Act	09/06/10	09/06/11	Legal and Constitutional Affairs	09/06/18	0	09/06/18	09/06/18	19/09
C-41	An Act to give effect to the Maanulth First Nations Final Agreement and to make consequential amendments to other Acts	09/06/16	09/06/17	Aboriginal Peoples	09/06/18	0	09/06/18	09/06/18	18/09
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, 2010 (<i>Appropriation Act No. 2, 2009-2010</i>)	09/06/22	09/06/22	—	—	—	09/06/23	09/06/23*	25/09
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, 2010 (<i>Appropriation Act No. 3, 2009-2010</i>)	09/06/22	09/06/22	—	—	—	09/06/23	09/06/23*	26/09

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-50	An Act to amend the Employment Insurance Act and to increase benefits	09/11/04	09/11/04	Pursuant to rule 74(1) subject-matter 09/09/30 National Finance Bill 09/11/04 National Finance	Report on Bill 09/11/05	0	09/11/05	09/11/05*	30/09
C-51	An Act to implement certain provisions of the budget tabled in Parliament on January 27, 2009 and to implement other measures	09/11/17							

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-268	An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)	09/10/01							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Library and Archives of Canada Act (National Portrait Gallery) (Sen. Grafstein)	09/01/27							
S-202	An Act to amend the Canada Elections Act (repeal of fixed election dates) (Sen. Murray, P.C.)	09/01/27							
S-203	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)	09/01/27	09/05/06	Banking, Trade and Commerce					
S-204	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	09/01/27							
S-205	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	09/01/27	09/03/31	Legal and Constitutional Affairs	09/06/04	1	09/06/10		
S-206	An Act respecting the office of the Commissioner of the Environment and Sustainable Development (Sen. McCoy)	09/01/27							
S-207	An Act to amend the Employment Insurance Act (foreign postings) (Sen. Carstairs, P.C.)	09/01/27	Bill withdrawn pursuant to Speaker's Ruling 09/02/24						
S-208	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	09/01/27	09/04/29	Energy, the Environment and Natural Resources	09/06/18	0	09/06/18		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	09/01/27	09/06/22	Legal and Constitutional Affairs					
S-210	An Act respecting World Autism Awareness Day (Sen. Munson)	09/01/27	09/03/03	Social Affairs, Science and Technology	09/05/14	0	09/05/26		
S-211	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)	09/01/27	09/06/10	Legal and Constitutional Affairs					
S-212	An Act to amend the Canadian Environmental Protection Act, 1999 (Sen. Banks)	09/01/27	09/10/29	Energy, the Environment and Natural Resources					
S-213	An Act to amend the Income Tax Act (carbon offset tax credit) (Sen. Mitchell)	09/01/27							
S-214	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	09/01/27							
S-215	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	09/01/27	09/03/24	Legal and Constitutional Affairs					
S-216	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (Involvement of Parliament) (Sen. Banks)	09/01/27	09/03/11	Energy, the Environment and Natural Resources	09/04/02	0	09/04/23		
S-217	An Act respecting a National Philanthropy Day (Sen. Grafstein)	09/01/27	09/05/05	Social Affairs, Science and Technology	09/05/14	2	09/06/02		
S-218	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	09/01/29							
S-219	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	09/02/03	Bill withdrawn pursuant to Speaker's Ruling 09/05/05						
S-220	An Act respecting commercial electronic messages (Sen. Goldstein)	09/02/03	09/04/02	Transport and Communications					
S-221	An Act to amend the Financial Administration Act (borrowing of money) (Sen. Murray, P.C.)	09/02/04							
S-222	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Murray, P.C.)	09/02/04		Subject matter 09/06/17 Energy, the Environment and Natural Resources					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-223	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)	09/02/04	09/09/29	Human Rights					
S-224	An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies) (Sen. Moore)	09/02/05	09/05/14	Legal and Constitutional Affairs					
S-225	An Act to amend the Citizenship Act (oath of citizenship) (Sen. Segal)	09/02/10							
S-226	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	09/02/11	09/09/29	Legal and Constitutional Affairs					
S-227	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	09/02/11	09/06/16	National Finance					
S-228	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	09/03/03	Dropped from Order Paper pursuant to rule 27(3) 09/11/04						
S-229	An Act to amend the Fisheries Act (commercial seal fishing) (Sen. Harb)	09/03/03							
S-230	An Act to amend the Bank of Canada Act (credit rating agency) (Sen. Grafstein)	09/03/10							
S-231	An Act to amend the Investment Canada Act (human rights violations) (Sen. Goldstein)	09/03/31							
S-232	An Act to amend the Patent Act (drugs for international humanitarian purposes) and to make a consequential amendment to another Act (Sen. Goldstein)	09/03/31	09/06/16	Banking, Trade and Commerce					
S-233	An Act to amend the State Immunity Act and the Criminal Code (deterring terrorism by providing a civil right of action against perpetrators and sponsors of terrorism) (Sen. Tkachuk)	09/04/28							
S-234	An Act to amend the Canada Pension Plan (retroactivity of retirement and survivor's pensions) (Sen. Callbeck)	09/05/06							
S-235	An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability (Sen. Herveux-Payette, P.C.)	09/05/12							
S-236	An Act to amend the Canada Elections Act (election expenses) (Sen. Dawson)	09/05/26							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-237	An Act for the advancement of the aboriginal languages of Canada and to recognize and respect aboriginal language rights (Sen. Joyal, P.C.)	09/05/28							
S-238	An Act to establish gender parity on the board of directors of certain corporations, financial institutions and parent Crown corporations (Sen. Hervieux-Payette, P.C.)	09/06/02							
S-239	An Act to amend the Conflict of Interest Act (gifts) (Sen. Cowan)	09/06/23							
S-240	An Act respecting a national day of service to honour the courage and sacrifice of Canadians in the face of terrorism, particularly the events of September 11, 2001 (Sen. Tkachuk)	09/06/23							
S-241	An Act to amend the Office of the Superintendent of Financial Institutions Act (credit and debit cards) (Sen. Ringuette)	09/10/06							
S-242	An Act to amend the Canadian Payments Act (debit card payment systems) (Sen. Ringuette)	09/10/06							
S-243	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	09/10/27							

PRIVATE BILLS

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

CONTENTS

Thursday, November 19, 2009

	PAGE		PAGE
SENATORS' STATEMENTS		Justice	
National Child Day		Criminal Code—Protection of Children.	
Hon. Jim Munson	1751	Hon. Céline Hervieux-Payette	1757
Olympic Torch Relay		Hon. Marjory LeBreton	1757
Hon. Ethel Cochrane	1751	Health	
Protection of Children		H1N1 Flu Vaccine.	
Hon. Céline Hervieux-Payette	1751	Hon. Elizabeth Hubley	1758
L'Assemblée parlementaire de la Francophonie		Hon. Marjory LeBreton	1758
Hon. Andrée Champagne	1752	Delayed Answer to Oral Question	
Mr. Kevin MacLeod, C.V.O., C.D.		Hon. Gerald J. Comeau	1758
Hon. Michael L. MacDonald	1752	Fisheries and Oceans	
Nunavut Marine Resources		Reduced Services in Nova Scotia.	
Hon. Dennis Glen Patterson	1753	Question by Senator Mercer.	
Down Syndrome Awareness Week		Hon. Gerald J. Comeau (Delayed Answer)	1758
Hon. Donald H. Oliver	1753	Business of the Senate	
		The Hon. the Speaker.	1758
<hr/>		<hr/>	
ROUTINE PROCEEDINGS		ORDERS OF THE DAY	
Study on State of Early Learning and Child Care		Economic Recovery Bill (stimulus) (Bill C-51)	
Fifth Report of Social Affairs, Science		Second Reading—Debate Adjourned.	
and Technology Committee—Government Response Tabled.		Hon. Irving Gerstein	1759
Hon. Gerald J. Comeau	1754	Hon. Pierrette Ringuette	1761
Study on Issues Relating to Federal Government's Current		Hon. Roméo Antonius Dallaire	1762
and Evolving Policy for Managing Fisheries and Oceans		Hon. Claudette Tardif	1762
Sixth Report of Fisheries and Oceans Committee Tabled.		Office of the Superintendent of Financial Institutions Act	
Hon. Bill Rompkey	1754	(Bill S-241)	
Inter-Parliamentary Union		Bill to Amend—Second Reading—Speaker's Ruling Reserved.	
Conference for Chairpersons and Members of Parliamentary		Hon. Pierrette Ringuette	1762
Bodies Dealing with Gender Equality, December 2-4, 2008—		Hon. Gerald J. Comeau	1763
Report Tabled.		Hon. Anne C. Cools	1763
Hon. Donald H. Oliver	1754	Hon. Claudette Tardif	1764
<hr/>		Social Affairs, Science and Technology	
QUESTION PERIOD		Motion to Authorize Committee to Study the Promotion	
Health		of Canadian Identity—Debate Continued.	
Protection of Children.		Hon. Art Eggleton	1764
Hon. Jim Munson	1754	Hon. Anne C. Cools	1765
Hon. Marjory LeBreton	1754	The Senate	
Prime Minister		Motion to Urge Government to Engage in Consultations	
Visit to India.		on Senate Reform—Debate Continued.	
Hon. Stephen Greene	1755	Hon. Claudette Tardif	1765
Hon. Marjory LeBreton	1756	Scientific Research	
Foreign Affairs		Inquiry—Debate Continued.	
Treaty on the Non-Proliferation of Nuclear Weapons.		Hon. Claudette Tardif	1766
Hon. Marcel Prud'homme	1756	Social Affairs, Science and Technology	
Hon. Marjory LeBreton	1756	Motion to Authorize Committee to Study Implementation	
Status of Omar Khadr.		of Guaranteed Annual Income System—Debate Continued.	
Hon. Roméo Antonius Dallaire	1756	Hon. Gerald J. Comeau	1766
Hon. Marjory LeBreton	1756	Adjournment	
		Hon. Gerald J. Comeau	1766
		Progress of Legislation	i



If undelivered, return COVER ONLY to:
Public Works and Government Services Canada
Publishing and Depository Services
Ottawa, Ontario K1A 0S5