



CANADA

# Debates of the Senate

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3rd SESSION

•

40th PARLIAMENT

•

VOLUME 147

•

NUMBER 89

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, March 1, 2011**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

This issue contains the latest listing of Senators,  
Officers of the Senate and the Ministry.

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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

Tuesday, March 1, 2011

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

Prayers.

### SENATORS' STATEMENTS

#### TRIBUTES

##### THE LATE HONOURABLE MARIAN L. MALONEY

**The Hon. the Speaker:** Honourable senators, a notice has been received from the Leader of the Opposition who requests, pursuant to rule 22(10), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Marian Maloney, a former senator whose death occurred on May 29, 2010.

I remind all honourable senators that, pursuant to our rules, each senator will be allowed only three minutes, they may speak only once, and the time for tributes shall not exceed 15 minutes.

**Hon. David P. Smith:** Honourable senators and members of the Maloney family, I first met Marian Maloney in the fall of 1964, on the steps of the Prince Arthur Hotel in Thunder Bay. I was in my early twenties and I was the National Youth Director and Keith Davey's right-hand man at Liberal headquarters. Lester B. Pearson was Prime Minister. I was bopping across Canada every few weeks, getting "key Liberals" ready, and the Maloney family certainly fell into that category. Sometime journalist Doug Fisher of the NDP held the riding. We had to meet the Maloneys.

I was on the steps of the Prince Arthur Hotel and Marian Maloney walked up to me and said, "I am Marian Maloney but you can call me Babe." I did and for the rest of her life, we were friends.

Bill Maloney was appointed to the bench a while later and the family moved to Toronto. Bill travelled Highways 90 to 97 back and forth when he was a senior regional judge, while Marian held down the fort in Toronto. Every active Liberal knew Marian. To make democracy work, you need to have people who pour their hearts and guts out for the party. The same thing is true for all parties; I am not being partisan.

Marion had causes in Thunder Bay such as the Winter Carnival and the Miss Thunder Bay Pageant, but her real cause was the Liberal Party. She was totally committed to getting more women into politics and getting them elected.

She was known from coast to coast within the party and was very active in the Judy LaMarsh Fund. A few of us old timers can remember Judy LaMarsh. I knew her very well. There are more stories there but not for today.

In 1991, we made some changes to the way the party was structured, and necessary decisions were made. We had to appoint some women to encourage more women to join the

party. At the time, there were 23 ridings in Toronto and we had appointed men to 21 of them. I was campaign chair then, too. All of the appointees were men. I said to Mr. Chrétien, "You have to appoint women to the last two ridings. We cannot have 23 men in 23 ridings in Toronto." Mr. Chrétien agreed. Marian was the driving force behind much of the change.

I cannot resist telling my favourite story about Marian. I encouraged her appointment to the Senate and when it happened, she really only had one year to serve. However, when it all died down, I said to her, "Marian, is everything okay?" She said, "Yes, everything is okay. There is only one thing: Many people know my birthday but I have always been vague about my birth year. However, that information is now a matter of public record and people have finally figured out that I am a few years older than Bill." I told her, "You look younger than Bill and the appointment is worth it."

To the Maloney family, I extend my deepest sympathies. To Marian, who I hope is listening and looking down from up there: We need more people like you. You have left a wonderful legacy in Patrick, Michael and Jamie.

**Hon. Catherine S. Callbeck:** Honourable senators, today I would like to add my tribute to the late Marian Maloney, whose death is a great loss to all who had the good fortune to know her. Marian dedicated her life to making a difference and her legacy will continue to inspire us.

As we all know, Marian was committed to the Liberal Party and considered the people in it her second family. Her commitment to the advancement of women in the Liberal Party was one of her main priorities. Marian is considered the mother of the Judy LaMarsh Fund, which provides money and encouragement to women running for public office. She worked tirelessly to build up the fund to ensure that more women could successfully participate in political life. In so doing, Marian helped change attitudes about women in politics. She supported and encouraged women candidates. She was a friend and mentor to many aspiring female politicians. She was very encouraging with her words and her actions, and worked hard to help women in any way she could.

• (1410)

Many years ago, Marian and her son Jamie came to my home province of Prince Edward Island for a visit during the summer. They stayed with me and attended many events, including the christening of HMCS *Summerside*. She did all the things that tourists do when they visit. In fact, I still have a picture in my office that she sent me after the trip — dressed head to toe in the *Anne of Green Gables* costume. She loved the Island and enjoyed herself completely.

Whether on the shores of P.E.I., in the Senate chamber or at home in Thunder Bay or in Toronto, Marian loved life and truly lived it to the fullest. To her sons Patrick, Michael, Jamie and their families, I express my sincere sympathies. She will be greatly missed.

**Hon. Mobina S. B. Jaffer:** Honourable senators, I rise today to pay tribute to Senator Maloney. I knew her for over 30 years. She was a very dynamic woman. Her second family was the Liberal Party — more specifically, her commitment to the Liberal Party of Canada and the advancement of women in the Liberal Party — and the Judy LaMarsh Fund was her life's work.

As Jean Augustine, who served as a minister and was the Member of Parliament for Etobicoke—Lakeshore from 1993 to 2005, said, Marian Maloney was a friend and mentor to many women candidates. She worked tirelessly for the Judy LaMarsh Fund, which provides money and encouragement to women running for public office.

To quote Jean Augustine:

She was the mother of that fund. No event happened that she wasn't a part of.

Ms. Augustine recalled an incident from her 1993 campaign, when Senator Maloney demonstrated her take-charge attitude. She said:

I had a very small campaign office with one very rickety table and she walked into the tiny office, placed the lone table in a strategic location and said, "This is my desk." We all laughed because the office was so small that no corner of it could be exclusive to one person. She just came in and took charge.

That was Marian. She took charge of any situation.

In 1998, Senator Maloney was recognized for her tireless efforts when Prime Minister Jean Chrétien appointed her to the Senate. Upon her retirement in 1999, Senator Pélissier called Maloney a leader and a role model for the generation of women who followed her. Many of us agree.

For me, Marian exemplified what it means to be a loyal, passionate and hard-working Liberal. I want to convey to her sons Patrick, Michael and Jamie — and especially to her grandchildren — that many women are active in politics because of your grandmother's and mother's hard work. Thank you for sharing your grandmother and mother with many other Liberal women.

**Hon. Art Eggleton:** Honourable senators, I rise to join my colleagues in this tribute to Marian Maloney. She served a short time in the Senate but her service to the people of this country, the people of her community and the people of the Liberal Party was a driving force throughout her life. Her service is something her family can be enormously proud of, and there is a lot to remember and so many memories.

Marian lived in Thunder Bay, but I knew her in my time as Mayor of Toronto. She made significant contributions to the life of our city. I frequently received advice — and support too — from her and I tell you, advice was given on no uncertain terms.

I am most proud of her work to help advance women in politics. Any time I went to a campaign for a woman candidate, there was Marian Maloney. She was sure to be part of recruiting women as candidates and trying to get them elected.

I think we should keep on with that tradition, that legend and the legacy she leaves us. We can be proud of the service Marian Maloney gave, in our case to our party, but also to this country.

**Hon. Terry M. Mercer:** Honourable senators, I had the privilege of serving as National Director of the Liberal Party for a long time and being an activist in the Liberal Party in both Nova Scotia and Ontario, as well as across the country. I cannot remember exactly when I met Marian Maloney; I cannot remember when she was not in the Liberal Party.

She was indeed an eminent person and had a presence that needed to be dealt with at all times. One was well-advised to deal with her presence or she would make her presence known; and if, by chance, women's issues were allowed to slip off the discussion table purely by accident, Marian would quickly remind those in attendance of the oversight.

That was not only me, the lowly national director of the party. I have seen her remind cabinet ministers. Her favourite was Paul Martin; I saw her call him to task both privately and publicly when he made a mistake. I saw her remind Mr. Chrétien when he left something off the table or had not paid the attention to detail that she thought was needed.

My fondest memories of Marian were in her work on behalf of the Judy LaMarsh Fund, a fund set up to encourage women to participate in the political process through the Liberal Party. It is important that women participate in the process of all political parties and, though there were times when it was a struggle to raise money for this process, Marian never lost her focus. Many women in public life today and many women in the Liberal Party are thankful for Marian Maloney's dedication. All of us owe a great deal of thanks to her family for sharing her with us.

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I draw your attention to the presence in the gallery of family members of our former colleague, the Honourable Marian Maloney.

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

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

## RED CROSS MONTH

**Hon. Catherine S. Callbeck:** Honourable senators, March is Red Cross Month, an occasion to raise public awareness of the work of the Red Cross and to promote its fundraising activities. For more than 100 years, dedicated workers and volunteers have offered their time and energy, both at home and abroad, to provide care and comfort in times of distress, to prevent injury and death and to ensure the well-being of children and adults everywhere.

As we all know, the Canadian Red Cross helps people in communities in Canada and around the world who are affected by emergencies and disasters. The situations can vary immensely, from a family left without shelter or belongings because of a house fire to natural disasters like floods or earthquakes that can disrupt an entire country or region of the world. The Red Cross takes action immediately to provide whatever is needed — such as sending people or supplies or appealing for funds.

Red Cross activities are not limited to disaster assistance. The Red Cross also provides a number of programs and services that ensure the well-being of Canadians here at home. For example, the Canadian Red Cross provides a first aid program that aims to reduce death and suffering due to injury and sudden illness. Nearly half a million Canadians receive first aid and CPR training each year through Canadian Red Cross programs.

Another Canadian Red Cross activity is the water safety program, which originated in a place long connected to the water — Prince Edward Island. Now in its sixty-fifth year, the program is the largest, most recognized water safety program in the country. Red Cross water safety programs include swimming; water safety lessons for infants, toddlers, children, teens and adults; training programs for instructors and instructor trainers; and promotional safety campaigns. Each year more than 1.2 million Canadians enrol in Red Cross swimming and water safety programs, while more than 21,000 are trained and certified as instructors and instructor trainers.

I commend the Red Cross workers and volunteers who work so hard with such compassion and dedication to improve the situation of the most vulnerable in Canada and throughout the world. Honourable senators, I ask you to join with me in recognizing and celebrating the many achievements of the Canadian Red Cross.

### TD BLACK STUDENT OPPORTUNITY GRANT

**Hon. Donald H. Oliver:** Honourable senators, I am pleased to rise today to speak about a major charitable donation by one of our impressive Canadian banks. The TD Bank Financial Group has demonstrated yet another example of how it discharges its corporate social responsibility for assistance to one of Canada's four target groups, namely, Black Canadian students.

• (1420)

On February 11, the TD Bank announced an incredibly generous gift of \$1 million to Dalhousie University at a Black History Month event at the Maritime Museum of the Atlantic in Halifax. This \$1 million donation will create the TD Black Student Opportunity Grant that will assist high school students from Black communities to pursue their post-secondary education. The funds are for students who show strong academic potential and are in financial need.

To support this scholarship, Dalhousie will create a unique outreach program for Black junior and senior high school students. TD Senior Vice-President Bruce Shirreff said that this

new program will be aimed at creating role models, encouraging academic aptitude and providing motivation and incentives for Black students to attend a post-secondary institution.

The TD Bank Financial Group and Dalhousie University have teamed up in an effort to eliminate financial barriers and to give Black youth more opportunities to attend university.

Dalhousie University President and Vice-Chancellor Dr. Tom Traves told those assembled at the Maritime Museum of the Atlantic:

Access to university for capable students should be the right of every Canadian, regardless of their origins. Early mentoring can inspire dreams which later can be achieved with essential financial supports provided at just the right moment. TD Bank Group's tremendous gift to Dalhousie University will inspire and support young people from Nova Scotia's Black community to dream and build a better future for us all.

TD's million-dollar announcement also coincided with the launch of the new *Black History in Canada Education Guide*. This guide provides Canadian teachers and students an opportunity to learn more about the many contributions of African-Canadians in our country. It explores seminal events and personalities in Black Canadian history through engaging discussions and interactive activities. It was developed by the Historica-Dominion Institute, distributed by HarperCollins Canada and sponsored by TD Bank. It draws on Lawrence Hill's award-winning and best-selling historical novel *The Book of Negroes*.

Lawrence was in attendance at the Halifax event. He read excerpts from his book and participated in a question-and-answer session with some of Nova Scotia's Black youth.

In conclusion, honourable senators, February is over. Black History Month is behind us now, but this does not mean that we should stop raising awareness about African heritage and culture, nor does it mean we should slow down our fight against racism and discrimination. We need to continue to help foster a diverse and inclusive society, a place where all people, regardless of race, have access to equal opportunities. TD's new scholarship program will do just that. Thank you, TD.

### LIBYA

#### CANADIAN RESPONSE TO POLITICAL UPRISING

**Hon. Roméo Antonius Dallaire:** Honourable senators, I rise to draw your attention to the abhorrent situation of mass atrocities ordered by Colonel Gadhafi and his government against a legitimate opposition movement in Libya.

Though exact figures are difficult to ascertain, some reports have put the death toll from the ongoing clashes with the regime's military aircraft, armed forces and hired mercenaries from across Africa and the Middle East at as high as 6,500, with the figure for refugees and internally displaced persons at over 100,000.

Senator Segal and I described last week, in the pages of the *Ottawa Citizen*, how Colonel Gadhafi's use of terms such as "cockroaches" to describe protesters, as well as the threat to

“cleanse Libya house by house,” recall other cases of mass slaughter including, notably, those in Rwanda and Kosovo. These were the exact terms that were used by the dictatorship in Rwanda 17 years ago as we watched that genocide unfold.

It is laudable that Ottawa has decided to finally take action in regard to Libya, including sending a reconnaissance mission to Malta and finally getting aircraft on site. However, the truth of the matter is that we were silent while atrocities were being reported early last week and even during the initial days of protest. Our government sat on its hands, waiting to take its cue from our allies, a defensible strategy when time is not a critical factor for decision making. In Libya, protesters were being massacred by an evil megalomaniacal regime while democratic governments and world powers, including ours, remained mute.

The actions on Libya that are now being outlined by this government in press releases and speeches such as the one Minister Cannon gave at the UN Human Rights Council in Geneva and the bilateral communications with our allies, including those by the Prime Minister, are all positive and are being produced much faster than they were 17 years ago during that other humanitarian catastrophe. However, they are actions that could have and should have been taken several days ago. Sanctions, assets and travel freezes, and humanitarian deployments should have been automatic, not requiring the direction from or approval of the United States, Britain, France or others, including the United Nations as an independent body.

Simply because the international community came late to the game in Libya should not have precluded Canada from asserting its willingness to act. Actions thus far have demonstrated a willingness to engage in the periphery, but will not provide security to those still being massacred in the streets of Libya.

One week ago at the Council on Foreign Relations in New York, Minister Cannon asked the United States to “respect Canada’s ability to contribute and find space of our own on the world stage.”

Our ability to contribute positively to global unrest, situations of mass atrocities and gross abuses of human rights will not come from a superior military intervention capability. In fact, we participated in cancelling the only rapid reaction capability of the UN, the Standby High Readiness Brigade, SHIRBRIG, two years ago, which we commanded.

To be sure, we do have military assets and knowledge to contribute to a multilateral effort during any of those challenges, but Canada’s ability to contribute must come from its strong moral voice — the voice that once stood clearly for unequivocal support for democracy, human rights and the protection of innocence everywhere, including the intervention and the will to intervene when catastrophic massacres and human rights are massively abused as per the responsibility to protect doctrine that we introduced into the United Nations.

## 2011 SCOTTIES TOURNAMENT OF HEARTS

**Hon. Pamela Wallin:** Honourable senators, while Canadians were watching the glitz, the glamour and the stars parading across the Oscar night stage on Sunday night, I, like hundreds of

thousands of other Canadians, was watching the 2011 Scotties Tournament of Hearts, where, upon a much less glamorous stage, the women of curling were strutting their stuff and sweeping their hearts out.

As the game unfolded, I sat in amazement trying to recall or somehow conjure up my high school geometry so that I might be able to predict just what the curlers intended as they hurled a 40-pound hunk of granite down a sheet of ice, a place that most of us would avoid in February if we could.

Team Saskatchewan — with skip Amber Holland, third Kim Schneider, Tammy Schneider as second and Heather Kalenchuk as the lead — won a down-to-the-wire 8-7 victory in Charlottetown, after Amber’s perfect last rock draw in the tenth end.

The last time Saskatchewan took the Hearts Tournament was in 1997, with the late, great Sandra Schmirler, a true curling icon. “Schmirler the Curler,” as she was known, won three Canadian and world titles. The quiet, understated “Queen of Curling” died of cancer in March 2000. She was only 36 years old, but she had already made history. Schmirler’s foursome won the Olympic gold medal in 1998 in Nagano. That was the first time curling was a medal sport for women at the Olympic Games.

Somehow it seemed a fitting closing of the circle when Saskatchewan skip Amber Holland, another small-town girl who was just 36, was named winner of the Sandra Schmirler MVP Award during the closing ceremonies on Sunday. The award recognizes outstanding play during the playoffs. Let us hope Amber goes on to match, or perhaps even better, Sandra’s record.

I wish Team Saskatchewan much luck as they head to Denmark next month as Canada’s entry in the world championship. Congratulations also to Jennifer Jones and her Team Canada for all the moments of pride and great curling they have given us.

## THE HONOURABLE SHARON CARSTAIRS

### CONGRATULATIONS ON WINNING AMERICAN ACADEMY OF HOSPICE AND PALLIATIVE MEDICINE PRESIDENTIAL CITATION AWARD

**Hon. Jane Cordy:** Honourable senators, for almost 20 years, the Honourable Senator Sharon Carstairs has been a tireless champion for hospice palliative care in Canada. Since her appointment to this chamber in 1994, Senator Carstairs has been a member of two committees that examined the issues of hospice and palliative care, including serving as Chair of the Special Senate Committee on Aging, of which I had the privilege of also being a member.

She has released two special reports on palliative care, one in 2005, and the most recent one in June 2010 on the state of palliative care in Canada, entitled: *Raising the Bar: A Roadmap for the Future of Palliative Care in Canada*.

• (1430)

On Thursday, February 17, Senator Sharon Carstairs received the American Academy of Hospice and Palliative Medicine Presidential Citation Award. Senator Carstairs received the award at their annual assembly in Vancouver, British Columbia.

The American Academy of Hospice and Palliative Medicine is dedicated to expanding access for patients and families to high-quality palliative care and to advancing the discipline of hospice and palliative medicine through professional education and training, the development of a specialist workforce, support for clinical practice standards and research and public policy.

The Presidential Citation is awarded to individuals or organizations that have made significant contributions to the field of hospice and palliative medicine.

Through Senator Carstairs' dedication, progress is being made to improve the state of hospice and palliative care in Canada, an issue that affects millions of Canadians each year.

Honourable senators, please join me in congratulating Senator Carstairs for receiving this award and for her tireless work and dedication to such a worthwhile cause. Her work, which has led to drastic and effective change, is evidence that one very determined individual can make a difference.

Thank you, Sharon, and congratulations on receiving this honour.

[Translation]

#### THE LATE JEAN-MARC LÉGER

**Hon. Andrée Champagne:** Honourable senators, on February 13, 2011, the international Francophonie lost one of its pioneers, one of its best-known and most able defenders, when Jean-Marc Léger passed away.

I cannot say it better than the current Secretary General of the OIF, His Excellency Abdou Diouf, who spoke about this Canadian, a francophone through and through:

The Francophonie family is mourning the loss of a great activist and a father of the Francophonie institutions. Jean-Marc Léger dedicated his courage, skills and profound convictions to laying a solid foundation for our institution, the scope of which we are still measuring, 40 years later. He actively contributed to the creation of the two main Francophonie networks in civil society, those of journalists and academics.

Jean-Marc Léger became a journalist at the age of 24, starting at *La Presse* before moving to *Le Devoir*. He served as secretary general and then president of the Union canadienne des journalistes de langue française.

In 1970, he was in Niamey alongside Senghor, Diori, Bourguiba and Sihanouk, laying the foundation for the structure that became the Organisation internationale de la Francophonie, or OIF.

He loved Africa and was a humanitarian committed to defending the values of solidarity between peoples. Jean-Marc Léger was the first secretary general of the Agence de coopération

culturelle et technique, or ACCT. He encouraged cooperative programs that favoured the development of francophone countries in the South and focused on education and cultural diversity.

For over 15 years, he led the secretariat of the Association des universités partiellement ou entièrement de langue française. He also served as secretary general of the Association internationale des journalistes de langue française.

Jean-Marc Léger also wrote several books, including *Afrique française — Afrique nouvelle* in 1958; *La Francophonie: grand dessein, grande ambiguïté* in 1987; and *Vers l'indépendance? Le pays à portée de main* in 1989.

Honourable senators, the entire Francophonie is in mourning.

It is hard to imagine who could possibly take his place with such humanity, fervour, determination and optimism.

I have no doubt that all honourable senators wish to join me in offering his loved ones and the international Francophonie community our sincere condolences.

[English]

#### THE HONOURABLE ANNE C. COOLS THE HONOURABLE DONALD H. OLIVER

**Hon. Don Meredith:** Honourable senators, I have been listening and learning the ways of the Senate and would like to express my gratitude to all honourable senators in welcoming me to the Red Chamber. We bring to this place our individual strengths and our insights from different backgrounds and regions.

During the month of February, Senator Oliver and Senator Pépin paid tribute to Black History Month in Canada. I would now like to pay tribute to two of my colleagues who have surely faced many hurdles in their lives but have been able to turn these challenges into opportunities: Senator Cools and Senator Oliver.

Senator Anne Cools has been a strong-willed social activist in our communities, fighting for the causes that she believes in. She has proven herself a leader, founding one of the first shelters for abused women in Canada, in 1974, aptly named Women in Transition Inc., in Toronto. Through her innovative and thoughtful social work, Senator Cools has been able to make a difference in curbing domestic and family violence. She has also transformed attitudes and by doing this has changed countless people's lives for the better.

As honourable senators are aware, I am passionate about our youth and Senator Cools has mentored many youth as a field advisor and instructor, in particular to graduate students at many universities across the country. Senator Cools has given these future community leaders insights into a much-needed aspect of life that must be dealt with.

Honourable senators, in the early 1980s, Senator Cools was appointed to the National Parole Board. She was given a firsthand view of how our justice system works and how our inmates were treated in federal correctional facilities.

Senator Cools has amassed a wealth of knowledge from all of these experiences. I understand that the senator is also a voracious reader and enjoys constitutional history — as demonstrated here just a few weeks ago — and the study of legislation. I believe this passion for knowledge is what enriches the Senate. I thank the Honourable Senator Cools.

I find Senator Oliver to be a principled man who has worked tirelessly in his community, in our country and abroad to educate all of us in what it is to be human.

Senator Oliver has had a successful law practice, serving as a civil litigator and as an educator at several universities. His students are privileged to have had Senator Oliver as their teacher. He has worked hard for almost half a century to improve and to help people understand the society in which we live.

Senator Oliver has spoken to audiences around the world about the urgency of nurturing a diverse and inclusive culture of thought. Senator Oliver is also a strong advocate for corporate governance and responsibility, and believes in what is right and fair in this society. He does not stop at promoting equal opportunities for Black Canadians and other visible minorities in our communities. He has a passion for sharing his knowledge with others. He will gladly help anyone who is willing to take his advice.

Senator Oliver understands volunteerism also, as he gladly gives of his time and expertise to community and cultural organizations across Canada. His diligence in our communities has not been overlooked. He has received three honorary doctorates and countless prestigious awards. I am privileged to be in the company of such a selfless and considerate man as Senator Oliver.

As Harriet Tubman, the self-described conductor of the Underground Railroad, declared:

Every great dream begins with a dreamer. Always remember, you have within you the strength, the patience, and the passion to reach for the stars to change the world.

• (1440)

Honourable senators, please join me in congratulating these two great Canadians.

[Translation]

## ROUTINE PROCEEDINGS

### THE ESTIMATES, 2011-2012

#### PARTS I AND II TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, Parts I and II of the Estimates for the fiscal year ending March 31, 2012.

[ Senator Meredith ]

## INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

### NISGA'A FINAL AGREEMENT— 2008-09 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the 2008-09 annual report of the Nisga'a Final Agreement.

## LIBYA

### REGULATIONS IMPLEMENTING THE UNITED NATIONS RESOLUTION ON LIBYA AND TAKING SPECIAL ECONOMIC MEASURES AND THE SPECIAL ECONOMIC MEASURES PERMIT AUTHORIZATION ORDER TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, pursuant to section 7 of the Special Economic Measures Act and to section 4 of the United Nations Act, I have the honour to table, in both official languages, copies of the permit authorization order and the regulations implementing the United Nations resolution on Libya and taking special economic measures. These measures are part of the sanctions imposed on Libya and Moammar Gadhafi that were announced on February 27, 2011.

## THE ESTIMATES, 2011-12

### NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY MAIN ESTIMATES

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

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Main Estimates for the fiscal year ending March 31, 2012, with the exception of Parliament Vote 10.

### NOTICE OF MOTION TO AUTHORIZE JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT TO STUDY VOTE 10 OF THE MAIN ESTIMATES

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

That the Standing Joint Committee on the Library of Parliament be authorized to examine and report upon the expenditures set out in Parliament Vote 10 of the Main Estimates for the fiscal year ending March 31, 2012; and

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



## QUESTION PERIOD

### FOREIGN AFFAIRS

#### LIBYA—INTERNATIONAL RESPONSE TO POLITICAL UPRISING

**Hon. Roméo Antonius Dallaire:** Honourable senators, my question is for the Leader of the Government in the Senate and has to do with the context in which the international community, and specifically our government, is responding to the situation in Libya.

Given that our country was behind the concept of the responsibility to protect whenever there is massive abuse of human rights by a dictatorship in a nation where state sovereignty has failed, we have the responsibility to protect, exercised through the United Nations. Do you not realize the influence Canada would have had if it were a member of the UN Security Council?

[English]

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, the situation in Libya is, of course, grave. By all accounts, for all governments in the world, dealing with the situation has been chaotic, to say the least. Of course, our first priority was, and remains, the safe evacuation of Canadians, but Canada is working with all our allies to intensify pressure on the Gadhafi regime through sanctions, in accordance with the resolution of the United Nations Security Council. The only acceptable way forward is for the Gadhafi regime to halt the bloodshed and immediately vacate authority in Libya.

My seatmate, Senator Comeau, tabled the response of the government and the Prime Minister with the additional sanctions that the Canadian government has placed on Libya. These sanctions have been applauded around the world, including in a statement issued by the Office of the President of the United States yesterday evening congratulating Canada for its stand on Libya.

With regard to the seat on the United Nations Security Council, the actions taken by the Security Council were the right actions, as many people have pointed out. Whether or not Canada was seated there, the impact would have been the same. The council took the decision and Canada fully supported it.

While I am on my feet, I must say as well that the Government of Canada and the people of Canada owe a great deal of thanks to our diplomats, foreign service workers and Canadian military personnel, who are working in difficult and changing circumstances to deal with the situation in Libya. I think all Canadians should be proud of the efforts that have been made there.

Last week, I was monitoring the media from around the world, and all countries faced the same situation in terms of trying to determine what was taking place in Libya. I happened to be watching CNN, because I was not able to leave my home on

Friday — for obvious reasons, as you can probably hear in my voice — and even the great United States of America was struggling to deal with the situation in Libya.

Returning to the subject of the United Nations Security Council, the Security Council made the right decision and it made a swift decision. Canada fully supported it and went even further than the sanctions imposed by the Security Council and the United Nations.

**Senator Dallaire:** Seventeen years ago, those words, or words to that effect, were used for staying out of Rwanda. The Security Council and the international community found it complex and difficult to respond to such a chaotic scenario. Despite the fact that at least this time the Security Council worked on the weekend, while 17 years ago they did not; and despite the fact that the responses on the periphery are faster, this response still has not stopped people screaming for protection, via their cellphones and so on, for humanitarian assistance, for safe zones and, ultimately, for stopping the use of firearms and heavy weapons against them, which are crimes against humanity. My point is that we have been involved at the periphery, but the killing is still taking place inside Libya.

Can the Leader of the Government in the Senate tell us why Canada did not support the continuance of the Standby High-Readiness Brigade, which we helped create post-Rwanda as a rapid reaction force for scenarios exactly like this one?

**Senator LeBreton:** I can understand Senator Dallaire's perspective, and, of course, no one would challenge or question his concerns in this area, especially with regard to the situation he faced in Rwanda.

With regard to the situation in Libya, I think it is clear that Minister Cannon, Minister MacKay and the Department of National Defence are working closely with our allies to address the situation. The situation on the ground in Libya is changing. We are working closely with our allies, not only with regard to bringing out those few Canadians left there, but also discussing humanitarian aid and delivering supplies to the population in Libya.

• (1450)

Honourable senators, Department of Foreign Affairs and International Trade and Department of National Defence personnel are stationed in Malta. They are working particularly closely with the British, the Americans and the French. Everything is being done to assist our global partners to stabilize the situation in Libya. Of course, the situation is fragile, as we all know. We have to watch the news each night, as the dynamics change so much from day to day.

Everything is being done. Our people are working hard. I believe that not only Canadians but people in the free Western World are horrified, especially when they watch the interview with Christine Amanpour, as I am sure most of us watched last night, and realize what we are up against.

I can well understand Senator Dallaire's concerns, but I believe that the government, in partnership with our allies, is doing everything humanly possible to bring stability to Libya.

**Senator Dallaire:** I personally lived through the same scenario years ago when the international community worked diligently in removing their expatriates. In fact, they were reasonably effective in that, and we are seeing the same thing today.

However, I question how effective Canada has been in pulling its people out. We know of a significant military aircraft that went in and came out empty, when the airport was full of people. We have seen Canadians boarding British ships there.

Can the leader tell us how many Canadians have been evacuated by the Canadian government, with the influence of Canadian diplomats, and how many have been pulled out by others in this chaotic scenario?

**Senator LeBreton:** I think any criticism of any government, as governments attempt to locate their citizens, let alone evacuate those citizens, is a challenge. Our government has been working closely with the British and the Americans. We have arranged for Canadians to leave on British and American ships. Likewise, we have evacuated other nationals on our aircraft.

I alluded to it earlier, but we have our own personnel from DFAIT and DND working hard over there. We tend to think that somehow this task is easy. The situation in Libya is chaotic. If one thinks about it, the area is larger than the province of Quebec, with a population of six and a half million people, in a chaotic situation, with 200 or 300 Canadians spread amongst this group. To try to enter the country, locate the Canadians and move them to a place to evacuate them properly is a difficult task.

Having said that, I have numbers — I do not have them before me at the moment, honourable senators — of how many Canadians have left as of this moment. As I mentioned, last Friday I was watching CNN, which was reporting and wondering why the United States of America had only succeeded by Friday afternoon in sending one aircraft into Libya to evacuate American citizens. This situation is not unique to Canada. It is faced by all countries of the world. Everyone is working hard and in cooperation.

Our embassy personnel in Tripoli — which were evacuated late last week and rightly so — have continued to work. The Department of Foreign Affairs and International Trade is working directly from Ottawa and from Malta. As anyone will understand if they think about it, our officials face a difficult situation in trying to locate Canadians — and they have located Canadians — and transporting them to an area where they can be evacuated safely.

**Hon. James S. Cowan (Leader of the Opposition):** When I discussed the situation in Egypt several weeks ago with Senator LeBreton, I asked her a question and referred her to a report prepared by our Standing Senate Committee on National Security and Defence. The report recommended that the government undertake a study of the experience in Lebanon and that the government make that study public.

At that time, understandably, the leader did not have that information at her fingertips. Has the leader been able to ascertain, first, whether the government undertook the study recommended by the committee? Second, if it did, when will that report be made public? Third, if the government did not undertake the study, why not?

**Senator LeBreton:** Again, honourable senators, and in defence of our officials from the Department of Foreign Affairs who are stationed in these countries, the situation in Libya is so fluid that any person with an ounce of common sense will understand the difficulties the officials face when situations flare up that are obviously challenging.

The honourable senator's leader and his foreign affairs critic — both silver-spoon-fed sons of diplomats — said that the solution was to hire more diplomats. There are more people and diplomats in Libya now than there were five years ago, and 10 years ago, there were no diplomats in Libya.

It is unfair to criticize the hard work being done by our diplomats. It is also unrealistic to expect any foreign affairs body to anticipate, at the drop of a hat, every trouble spot that may develop around the world and then expect instantly that anyone can go there and snap them up out of remote areas.

Everyone is working hard. We have met with a lot of success in evacuating Canadians. Obviously, the Prime Minister has acquitted himself well in his remarks with regard to the United Nations Security Council and also the further sanctions that Canada has undertaken, so much so that these efforts have won accolades from our allies.

In this situation we are working with our allies, in particular the British, as we operate now with our C-17s — which thankfully this government purchased — and our new Hercules — which thankfully this government purchased — operating out of Malta, in addition to more personnel sent from the Department of National Defence to Malta. All these things will facilitate our ongoing efforts to bring stability to Libya.

• (1500)

**Senator Cowan:** Honourable senators, I was not critical then and I am not critical now of people who are doing what they can. I only asked whether or not, based on the unanimous report of the Standing Senate Committee on National Security and Defence, we might learn something from previous experience.

I will repeat the question that the Leader of the Government in the Senate took as notice. Did the government accept the recommendation of the Senate to conduct an inquiry and to make it public?

I was not criticizing then or now the actions of anyone. I was simply asking if something was done. The leader does not need to give a defence. No one was attacking, so she need not do that.

**Senator LeBreton:** I answered the question, honourable senators. I said that I had not had an opportunity to find that out. That was my answer, but then I decided to add to it.

[Translation]

## FINANCE

### FREEZING BANK ACCOUNTS OF FORMER TUNISIAN PRESIDENT, HIS FAMILY AND GOVERNMENT OFFICIALS

**Hon. Jean-Claude Rivest:** Honourable senators, my question is for the Leader of the Government in the Senate.

Yesterday, the Canadian government announced that it had frozen the Canadian assets of President Gadhafi and his family and associates. This announcement was made approximately one week after the revolution in Libya began.

Unless I am mistaken, the Canadian government has not made such an unequivocal statement as far as Tunisia is concerned.

Yet, with regard to the current government of Tunisia, as well as all Tunisians living in Canada and especially in Quebec, there has been a similar request to freeze the assets of the former president of Tunisia and his associates. After all, it is money that belongs to the people of Tunisia, just as the frozen Gadhafi assets belong to the people of Libya.

More than one month after the revolution in Tunisia, is the Canadian government about to issue a statement that is as unequivocal as its statement on the Libyan situation?

[English]

**Hon. Marjory LeBreton (Leader of the Government):** I thank the senator for that question. The circumstances are different regarding our ability to freeze the assets of Libya due to activities in which Canadians participate in Libya.

As we have stated on many occasions, Mr. Ben Ali, members of the former Tunisian regime and their immediate families are not welcome to come to Canada. The government is very desirous of getting justice for the Tunisian people by freezing the assets of former President Ben Ali regime members, as we have been requested to do by the new Tunisian government. We have assured them that we will use all tools at our disposal to address this.

Honourable senators, the case of Tunisia points out that Canadian law in this area is in need of significant change. I am informed that the government will soon be bringing forward legislation to address the inequities in the law.

## FOREIGN AFFAIRS

### LIBYA—CANADIAN RESPONSE TO POLITICAL UPRISING

**Hon. Art Eggleton:** Honourable senators, we in Western countries failed the people of Rwanda and genocide ensued. In 1999, we did intervene in the situation in Kosovo to save those people from Milosevic. After a period of negotiation that achieved nothing, there was an air campaign against Milosevic and his forces, which ultimately led to him leaving Kosovo. That was done at a time when we were advancing the concept of

responsibility to protect, which has since been adopted by the United Nations. However, this often clashes with state rights issues put forward by some states and that frequently prevents the United Nations from moving with any speed at all. Yet, speed is of the utmost importance here. This madman, Gadhafi, is killing his people every minute and every hour of every day. The sooner he can be removed, the better, in whatever way that can be done.

One proposition on the table for the next step is the implementation of a no-fly zone to prevent the Libyan military from attacking their own people with aircraft. Is the government willing to urge its allies to implement such a zone to diminish the possibility of Gadhafi killing his people and to attempt to bring this situation to an end as quickly as possible before more people are killed?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, the Prime Minister has indicated that we are working very closely with our NATO allies and are prepared to consider all options.

## IVORY COAST—ACTIONS OF BELARUS GOVERNMENT

**Hon. Hugh Segal:** Honourable senators, my question is directed to the Leader of the Government in the Senate and deals with a news report indicating that the Government of Belarus will be violating the arms ban with respect to Ivory Coast and delivering attack helicopters to General Gbagbo, who lost the election that was certified by a broad group of international organizations. Those attack helicopters can be used against the Golf Hotel, where international officials and the duly-elected president of that country are now resident.

Would the leader take it under her good offices to inquire as to whether our government is going to call in the Ambassador of Belarus to deliver a firm diplomatic note or take other actions with respect to the completely unacceptable violation of an international arms ban that will put at great personal risk honest and decent people in the Ivory Coast who have participated in a democratic election?

**Hon. Marjory LeBreton (Leader of the Government):** I am very much aware of those reports and I will be happy to get the information the honourable senator requests.

## NATIONAL DEFENCE

### OPERATIONAL STRESS INJURIES

**Hon. Joseph A. Day:** Honourable senators, my question is directed to the Leader of the Government in the Senate. Although it is on a different subject, it is certainly related to the discussion we have had. The question relates to operational stress injury.

The minister will know that approximately 35,000 Canadian Armed Forces personnel will have served in Afghanistan as of July when we change our battle group mission to a training mission. In addition to that, because of the whole-of-government approach that we have been taking with respect to provincial reconstruction in Afghanistan, members of the public service, the RCMP and other first responders have been and continue to be involved in stressful situations.

An expert who appeared before the Veterans Affairs Committee advised us that approximately one third of those who serve in stressful situations will themselves develop some level of stress and have difficulties when they return. That means that approximately 12,000 people, plus their families, may suffer as a result of those situations. Ten years ago, Veteran Affairs indicated that 2,000 people were on their list of clients suffering from operational stress injury. Today that figure has risen to 13,000.

Does the government recognize this exploding problem? Will the minister undertake to urge her cabinet colleagues to take action on this serious gap in providing assistance to those who put their lives on the line to protect our security?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, I thank Senator Day for the question. He will be aware of the announcement made in Trenton a week or so ago by Minister MacKay. This is a serious emerging issue with soldiers continuing to return suffering from operational stress injuries.

• (1510)

As the honourable senator is aware, the government has appointed a special adviser for operational stress injuries and skilled mental health teams across Canada provide clinical social work, psychiatric and psychological services. The Canadian Forces have over 378 full-time mental health professionals and are seeking out and hiring more. The Canadian Forces has a greater ratio of health care workers to soldiers than have our NATO allies. We provide mental health care through 33 primary care clinics and detachments across Canada. Members of the Canadian Forces receive support throughout their entire career and deployment cycle.

As the honourable senator also knows because he follows these issues closely, the department has invested millions of dollars in new technology and infrastructure to better support and care for our troops.

**Senator Day:** Honourable senators, I am aware of the announcement by the minister with respect to five new integrated support centres. We heard as recently as this morning from Armed Forces personnel that these centres offer advice to active and retired military personnel on program availability. No treatment or analysis occurs in any of these centres.

We had the opportunity to visit Ste. Anne's Hospital where Dr. Paquette had a dream to create a centre of excellence to help in the understanding of post-traumatic stress and operational stress injury, to learn how to treat it and, hopefully, to be able to take steps to prevent it in the future. The Minister of Veterans Affairs has announced that the hospital at Ste. Anne's is being sold.

Could the minister advise the house as to whether the government continues to share Dr. Paquette's dream to create such a centre of excellence to address this serious and growing problem?

[ Senator Day ]

**Senator LeBreton:** I thank the honourable senator for the question. Senator Fraser will be interested in this because she asked several questions about the hospital at Sainte-Anne-de-Bellevue. As the honourable senator is aware, Minister MacKay announced that both the support system and the clinical support system are part of this program.

With regard to the specific question about the hospital, I will take that question as notice.

## HERITAGE

### CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION APPOINTMENT OF VICE-CHAIRPERSON

**Hon. Pierre De Bané:** Honourable senators, when I put a question to the leader about the commitment made in September 2008 by the Prime Minister in the Saguenay that he would consult with the Government of Quebec before appointing a francophone vice-chair of the CRTC, she answered that she did not recall that commitment. I do not doubt that her answer was given to the best of her recollection. However, I checked *The Gazette* and *Le Devoir* from the following day and they both reported that Prime Minister Harper promised to consult with the Government of Quebec.

I ask the leader today if she would be so kind as to check with Minister Moore about whether he consulted with the Government of Quebec as per the commitment of the Prime Minister.

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, I will check with the Minister of Heritage, the Honourable James Moore, to ask him what procedures he is following in terms of appointments to the board of the CRTC.

[Translation]

## DELAYED ANSWER TO ORAL QUESTION

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table a delayed response to an oral question raised by Senator Losier-Cool on February 8, 2011, concerning Fisheries and Oceans—Repairs to New Brunswick Harbours.

## FISHERIES AND OCEANS

### REPAIRS TO NEW BRUNSWICK HARBOURS

*(Response to question raised by Hon. Rose-Marie Losier-Cool on February 8, 2011)*

Late 2010 brought a series of storms that inflicted unprecedented damage on Small Craft Harbours' facilities. During the fall, Hurricane Igor slammed Newfoundland while Manitoba was hit by a powerful weather bomb. In December, storms and tidal surges struck the coasts of all four Atlantic provinces and Quebec.

While Small Craft Harbours is continuing to assess the extent of damage, at this time, 237 core fishing harbours are known to have been damaged, to varying degrees. A further

19 non-core harbours were also damaged. The damage incurred at the affected core harbours can be divided into three categories: clean-up and minor works; wharf and/or breakwater repairs; and, wharf and/or breakwater reconstruction.

Clean-up and minor repairs are required at 154 harbours. The work includes such interventions as clean-up due to erosion and the accumulation of debris, incremental dredging, and/or minor repairs to wheelguards, fenders, ladders, floating docks and other structures.

Wharf and/or breakwater repairs are required at an additional 59 sites. The work includes repair to the decks of the wharves, timber cribs, electrical systems, existing armour stone — also known as breakwaters — slipways and/or floating wharves.

At the remaining 24 harbours, major wharf and/or breakwater reconstruction is necessary due to extensive damage and significant breaches.

In terms of costs, Small Craft Harbours is still assessing the extent of damage as noted above. Winter conditions make it difficult to undertake engineering inspections of harbour facilities and it will be spring before a complete and accurate damage report, with detailed costing, is available.

In the meantime, Small Craft Harbours is working to secure all sites and ensure public safety. The next priority is to undertake the most pressing repairs, as funding permits, prior to the upcoming fishery season.

Small Craft Harbours is continuing to consider all available means to increase its budget in order to address these repair needs at core fishing harbours.

[English]

### **BILL PROTECTING CHILDREN FROM ONLINE SEXUAL EXPLOITATION**

#### **FIFTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED**

Leave having been given to revert to Presentation of Reports from Standing or Special Committees:

**Hon. Joan Fraser**, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Tuesday, March 1, 2011

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

#### **FIFTEENTH REPORT**

Your committee, to which was referred Bill C-22, An Act respecting the mandatory reporting of Internet child pornography by persons who provide an Internet service, has, in obedience to the order of reference of Tuesday, February 8, 2011, examined the said Bill and now reports the same without amendment.

Your committee has also made certain observations, which are appended to this report.

Respectfully submitted,

**JOAN FRASER**  
*Chair*

(For text of observations, see today's Journals of the Senate, p. 1237.)

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

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

[Translation]

### **LEGAL AND CONSTITUTIONAL AFFAIRS**

#### **NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING AND ADJOURNMENT OF THE SENATE**

Leave having been given to revert to Notices of Motion:

**Hon. Joan Fraser:** Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That, until March 24, 2011, for the purposes of its consideration of government bills, the Standing Senate Committee on Legal and Constitutional Affairs:

- (a) have power to sit even though the Senate may then be sitting, with the application of rule 95(4) being suspended in relation thereto; and
- (b) be authorized, pursuant to rule 95(3)(a), to sit from Monday to Friday, even though the Senate may then be adjourned for a period exceeding one week.

[English]

### **ORDERS OF THE DAY**

#### **ELECTRICITY AND GAS INSPECTION ACT WEIGHTS AND MEASURES ACT**

**BILL TO AMEND—THIRD READING—  
DEBATE ADJOURNED**

**Hon. Stephen Greene** moved third reading of Bill C-14, An Act to amend the Electricity and Gas Inspection Act and the Weights and Measures Act.

He said: Honourable senators, I am pleased to rise to begin debate at third reading of Bill C-14, An Act to amend the Electricity and Gas Inspection Act and the Weights and Measures Act.

Under section 91, subsection 17, of the Constitution Act, the Government of Canada has exclusive responsibility for trade measurement. The bill before honourable senators is an important piece of legislation designed to confirm fairness, honesty and decency in the marketplace. It is designed to provide consumer confidence; Canadians will be certain that they are receiving fair measure for the money they spend. It would modernize the laws governing trade measurement and provide Measurement Canada with additional tools to ensure equity and accuracy where products are bought and sold on the basis of measure. At each stage of Bill C-14's development, Measurement Canada consulted with stakeholders, including consumers and businesses across Canada. Measures proposed under Bill C-14 were recommended during stakeholders consultations.

Honourable senators, in their appearance before the standing committee in the other place, representatives of the Canadian Petroleum Products Institute offered to work with the government to support measurement accuracy in the marketplace. The institute held that there are few cases of malicious tampering with measurement devices but wear and tear on measuring devices might contribute to inaccurate measurement.

Consumers are not alone in benefitting from rigorous enforcement of measurement standards. During the stakeholder consultations conducted by Measurement Canada, retailers reported that they had been affected by inaccurate measurements, whether by their own inadvertent errors or their competitors' deliberate miscalculations.

Little wonder, then, that this bill has received support in principle from both consumers and retailers. It has passed through the other place with only minor amendments and has been brought before honourable senators after further study by the Standing Senate Committee on Banking, Trade and Commerce.

• (1520)

I will remind honourable senators of the three ways in which this bill will promote fair measurement. First, it provides for mandatory inspection frequencies for measuring devices used by retailers under the Weights and Measures Act. Second, it authorizes the Minister of Industry to designate qualified authorized service providers to inspect measuring devices. Third, it modernizes the fines and provides additional tools in the form of administrative monetary penalties, thus providing both stiffer fines and a more flexible approach to address less egregious infractions to promote compliance in the marketplace.

Let me begin with the mandatory inspection frequencies. Under this bill, businesses within eight trade sectors would be subject to mandatory inspections similar to those now imposed upon electricity and natural gas meters under the Electricity and Gas Inspection Act. Eight trade sectors will be initially addressed through these amendments. These sectors are retail petroleum, wholesale petroleum, dairy, retail food, fishing, logging, grains and field crops, and mining.

The bill before us would require that retailers have their devices inspected at regular intervals. Mandatory inspection frequencies would be phased in for the eight trade sectors that I have listed. Other sectors could be added in the future, based on stakeholder consultations. During trade sector review consultations, these stakeholders reiterated that mandatory inspections are necessary to uphold the integrity of the industry and to help retailers remain competitive in high-stakes markets.

Let me now turn to the means by which Measurement Canada will conduct the inspections. This bill does not require additional inspectors working as public servants under Measurement Canada. Rather, the Minister of Industry would have the authority to designate nongovernment inspectors to perform these inspections and to suspend or revoke an inspector's designation. These nongovernment inspectors will not have any enforcement authorities; the government inspectors will retain these. Before they can certify measuring devices, all authorized service providers would be required to complete Measurement Canada's training, as well as meet strict program performance criteria. Measurement Canada would also evaluate all authorized providers to ensure that they carry out duties accurately.

Alternative delivery is an effective way to ensure that devices measure accurately and this has been used successfully under the Electricity and Gas Inspection Act since the mid-1980s.

Measurement Canada would continue to assess marketplace performance through independent inspections. The agency would be responsible for responding to complaints of suspected inaccurate measure and would audit the performance of authorized service providers. If enforcement actions are required, only Measurement Canada's inspectors — and not authorized service providers — would assume the responsibility.

Honourable senators, permit me to outline how enforcement tools proposed in the bill before us would improve upon the Weights and Measures Act and Electricity and Gas Inspection Act not only by providing sharper teeth in dealing with serious offences, but also by providing more flexibility to administer lighter penalties when appropriate.

Some of the measurement infractions may be the result of deliberate and malicious tampering, while others are merely the effect of wear and tear on the measuring device. One system of punishment does not fit both situations, but, under the current acts, prosecution is the only means available to levy fines for noncompliance.

Honourable senators, the bill before us provides greater flexibility to promote compliance and, where appropriate, penalizes those who do not play by the rules. The bill will increase penalties for offences under both acts. The fines that are currently up to \$1,000 for minor offences will be increased to \$10,000 on summary conviction. They will be doubled from \$25,000 to \$50,000 for indictable offences and could include imprisonment of up to two years. These penalties will not be regarded simply as a cost of doing business. They will serve as a deterrent against measurement inaccuracy in the marketplace. They are in line with those that other industrialized countries impose for inaccurate measurement and send a clear signal that Canada maintains the integrity of its marketplace.

What about lesser infractions? The bill before us would enable Measurement Canada to issue administrative monetary penalties, or AMPs, that will not exceed \$2,000. These will be applied using a graduated enforcement strategy. Honourable senators will appreciate that an AMP-based regime will enable Measurement Canada to tailor penalties to the degree of the severity of the infraction, which we cannot do now. Through AMPs, Measurement Canada has a tool to ensure that the rules send a signal to others as to what they can expect if they act in a similar manner.

AMPs are currently used by departments and agencies such as Transport Canada, the Canadian Food Inspection Agency and the Competition Bureau. The strength of an AMPs regime comes from its ability to make the penalty fit the infraction and will be a useful tool to promote compliance and accuracy in the marketplace.

Honourable senators, I also observe that the bill provides for a due diligence defence in the case of certain offences where persons can demonstrate they have taken reasonable measures to prevent the offence.

Finally, I remind the chamber that the bill before us has gone through considerable study and consensus building. As honourable senators may recall, Industry Canada announced a legislative review of the Weights and Measures Act and the Electricity and Gas Inspection Act in its 2006-07 *Report on Plans and Priorities*.

In 2006, Measurement Canada began consultations on a broad range of reforms. One recurring theme in those consultations was the need for mandatory inspection frequencies. The bill was further fine-tuned in the other place and has been studied by our own committee. It will also be subject to a statutory review five years after it receives Royal Assent.

For the Canadian consumer, the bill will mean better protection against unfair retailer practices and confidence that their financial transactions based on measurement will be accurate. For retailers, the bill will level the playing field by making business more accountable for measurement accuracy. The introduction of mandatory inspection frequencies, every one to five years depending on the trade sector, may result in minor additional costs, but the soundness and integrity of the marketplace outweighs these minor costs.

Some honourable senators have recommended that the nickname for this act, the Fairness at the Pumps Act, is inappropriate. On the contrary, I find it to be very appropriate — especially in these days of severe price volatility at the pumps due to the turmoil among North African and Middle East countries. How long will this volatility last? We do not know. How high will the price of gas go? We do not know. The one thing we do know is that, with this bill, Canadians can be confident that they will get what they pay for.

If honourable senators are like me, you always have the uneasy feeling when you leave the pumps that maybe you did not get everything you should have or, perhaps, too much. After all, contrary to almost everything else one buys, one cannot check the quantity oneself. For consumers, this is the most important aspect

of bill. This bill, brilliantly timed by the government, not only eliminates the worry for gasoline consumers and reassures them that they will get what they pay for, but also insulates the retailers from criticism at a time when their customers are likely to pay more at the pumps.

I urge honourable senators to join me in supporting this bill.

**Hon. Céline Hervieux-Payette:** Honourable senators, I wonder if the honourable senator could tell me, in order to have that great fairness, would he recommend to our government that it does what other governments have done, namely, control the price of oil? Since we are a producer, why do we have to pay so much on the international market when some countries who are producers are giving a much better price to their own populations?

**Senator Greene:** I did not quite understand the full import of the question. Will the honourable senator repeat it, please?

**Senator Hervieux-Payette:** Yes. The honourable senator talked about having fairness at the pump, which, he thinks, reflects the spirit of the bill. Would the honourable senator be willing to respect not only the letter of the bill, but also the reality that his government could introduce fairness at the pump with a Canadian-made price for oil since we are an oil-producing country? Would the honourable senator support that?

**Senator Greene:** No, I would not, honourable senators. We do not believe in a national energy program on this side of the aisle. We believe in the marketplace.

[Translation]

**Hon. Fernand Robichaud:** Can the honourable senator assure us that when we buy gas, a litre is the same unit of measure in New Brunswick or Quebec or any other province? The prices are completely different from one province to another.

[English]

**Senator Greene:** The prices do vary, honourable senators, but there are three reasons for that. First, provincial taxes differ. Second, there are local competitive prices, and, third, there is the location of refineries. On the East Coast, a lot of our oil comes from overseas. That is not necessarily the case in the rest of Canada.

[Translation]

**Senator Robichaud:** I believe the honourable senator did not understand my question, but I accept his answer.

• (1530)

[English]

**Hon. Mac Harb:** Honourable senators, Bill C-14 is the culmination of a great deal of work carried out over several years by Measurement Canada. As was stated earlier, the legislation updates provisions of the Electricity and Gas Inspection Act and the Weights and Measures Act to provide greater protection for consumers. The bill will impose mandatory inspection frequencies common to many Western nations. It is supported in principle by consumer and retail groups consulted by Measurement Canada.

The honourable senators on this side and I are committed to consumer protection and agree that ensuring trade accuracy is a good goal. The issue of inaccurate pumps or scales deserves attention. Canadians should get what they pay for.

I commend the department for its thorough consultation with stakeholders and for presenting Parliament with legislation that will increase the accountability of retailers and provide officials with a more effective means to enforce compliance. Perhaps, it would have been good if these same officials had been in charge of choosing the short title for the bill. Unfortunately, that decision was apparently left up to the minister.

Although we have before us a bill that covers a wide array of consumer sectors, from logging to dairy and from retail food to electricity, each with varying rates of compliance to accuracy standards, and although the retail gas sector has the highest compliance rates, for some reason, the short title of the bill is "Fairness at the Pumps Act." By making this choice, the minister and his government have delivered a grave disservice to these hard-working departmental officials and industry stakeholders. The government has chosen to play politics, selecting an inflammatory and misleading short title that diminishes and takes away from what otherwise is legitimate and well-intentioned legislation.

When Mike Lake, Parliamentary Secretary to the Minister of Industry, was asked about this provocative title, he told our Senate committee:

We are trying to strike the issue of fairness to consumers, across all eight sectors, but the name of the bill reflects one example that any Canadian who has to buy gas understands.

That is the rationale, yet the retail gasoline sector has the highest level of compliance of all, at over 91 per cent. In 2007, the compliance rate in this sector was 97 per cent.

We have discussed previously in this house how the quarries and sandpit industry had a 47-per-cent accuracy rate. Why was this bill not called "Accuracy at the Quarries and Sandpit Act"?

The electricity industry, which dramatically influences monthly budgets for Canadians, has a compliance rate of over 74 per cent. Why do we not call it "Fairness at the Electricity Meters Act"? However, it is called "Fairness at the Pumps Act."

This title has caused real hardship, smearing the reputation of a large sector of Canada's retail community. As representatives from the Canadian Independent Petroleum Marketers Association told the committee, 72 per cent of Canada's 13,000 gasoline stations are run by individuals. Gas stations are privately owned small businesses. Those businesses are concerned.

Ian Wilson, President of Wilsons Fuel Company Limited., an independent fuel marketer in Atlantic Canada, said: "Our concern is that the government is using the short name for political gain on the backs of small- and medium-sized enterprises like Wilsons Fuel."

How has the government profited from politicizing what should have been a non-contentious, administrative bill? Many honourable senators have seen the "householder" that has already been distributed in a Conservative riding. This householder shows an irate consumer, arms folded across his chest, beside the headline:

Faulty gas pumps cost Canadian consumers millions of dollars every year. That's not right. Our Conservative government is taking action to protect Canadian consumers. That's why we introduced the Fairness at the Pumps Act.

How terrible, misleading, unfair and inappropriate it is to distribute householders like these for political partisanship — nothing more, nothing else.

Remember those headlines that appeared in the media in response to the tabling of this act. "Feds tackle gas gougers," *The Chronicle-Herald* in Halifax wrote on the front page. A headline in the *Vancouver Sun* read "Proposed law aims to stop rip-offs at the gas pumps." The last one is from the *Edmonton Journal*: "Ottawa vows stiff fines for hikes at pumps."

Do these headlines make any sense to honourable senators? They do not make any sense to the 13,000 oil and gas retailers across the country. Those small- and medium-sized businesses felt cheated and mistreated, and they felt they were targeted and singled out of all the different sectors that this bill addresses and deals with.

This government-driven rhetoric insinuates that retailers are somehow out to gouge the consumer, and it conjures up images of small-business owners out with a wrench and a flashlight at night, purposely skewing the pumps to rip off consumers. That is simply not the case; that is simply not true.

Honourable senators, these devices are high-tech and sophisticated. In the odd case, these devices fail, often in favour of consumers, though sometimes in favour of retailers. Due to the volume of liquid that goes through the pumps, there are sometimes small inaccuracies, yet the sector is still the best sector for measurement of all eight sectors this bill deals with.

We understand that more and more electronic pumps are being installed, and these pumps increase accuracy and compliance to even higher levels. Retailers are as interested in accuracy as consumers are. It is in their interest to know how much gasoline they are purchasing and how much they are selling.

Over the past 30 years, Industry Canada has charged only one or two retailers for non-compliance. Industry records show that not a single gasoline retailer has ever been convicted of an offence under the Weights and Measures Act. Do honourable senators agree that is a good, clean record? Honourable senators on the other side do not think so, unfortunately.

I hope that we will play our role here, in this chamber of sober second thought, and do the right thing.



In short, this industry should not be singled out for abuse and embarrassment by this government. Independent gas retailers have made repeated attempts to explain to the government that they feel they are being targeted and accused of cheating Canadians. Attempt after attempt by concerned members of the opposition to alter or delete the short title has failed on the other side and in committee. Why do we have the stubborn refusal to change a misleading and damaging short title?

• (1540)

The bill in no way protects consumers from high gas prices. It does not address the issue of competition in the retail gas sector. The increased inspections will result in increased costs, and there is a real concern that these costs will add to the cost of gas for consumers. Again, this short title also misleads Canadians who read “Fairness at the Pumps Act” and conclude that these concerns are being addressed. They are not.

When we asked Mr. Lake during his appearance at the committee to explain the title to us, he said:

When you consider naming a bill, some can have names that do not mean anything and do not mean anything to Canadians who are trying to make sense of what the bill is about. Using a title like Fairness at the Pumps gives an example of a situation that Canadians realize is not always fair.

Choosing a name that makes the government look like it is taking action, but that is misleading and misrepresentative of the truth, is not doing Canadians any favours. I think it is an insult to Canadians’ intelligence. It is an insult to this house and it is an insult to the other place.

We are all in support of fairness, but we are seeing little of it in this government’s blatantly unfair and self-serving attack on the gasoline retail sector.

In summary, this bill is generally a well-conceived one that most stakeholders agree with in principle. There are concerns about the lack of details, given that the regulations have not yet been drafted, but the five-year review process provided for by the Liberal amendment will prove critical to ensure Canadians get what they pay for with this legislation.

What is regrettable, and perhaps irreparable, is the damage that has been done to one of Canada’s premier retail sectors as a result of the political opportunism shown by the government in its selection and support of such an ill-conceived short title.

The industry is calling on government to do the right thing. Witness after witness asked us to amend the short title, and I think we are well advised to listen.

#### MOTION IN AMENDMENT

**Hon. Mac Harb:** I therefore propose an amendment to this legislation, an amendment to change the short title to the following:

“Fairness in Weights and Measures Act.”

Clarity and transparency, which is important to at least some of us in this place, will be well served by this amendment. It is more honest, more descriptive of the actual purpose and intent of the legislation, and it does not single out unfairly a single industry that has led the way in promoting and maintaining accuracy in its dealings with consumers.

The government cannot hide its lack of real solutions to the cost of gas in this country behind a blatantly false short title of a bill that deals with accuracy in weights and measures.

The amendment is a simple change. It is a simple change that is important for my colleagues in this house to make, to send a signal to the other house that we are performing our job here on the Senate side — on both sides of the house, opposition and government. We need to tell the government in the House of Commons that it is not fair to have titles that are not even mentioned in any part of the bill anywhere, except in the title — there is absolutely no mention anywhere in the bill about fairness at the pumps, except in the short title. That title is not fair. That is why I hope you will support this amendment.

**The Hon. the Speaker:** Honourable senators, the honourable Senator Harb moves, seconded by the honourable Senator Merchant, that the bill not be read a third time, but that it be amended by replacing the short title with the following:

“Fairness in Weights and Measures Act.”

On debate, Senator Comeau.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Given that this is a chamber of sober second thought, I think it is well worth our while to evaluate the amendment as proposed by the honourable senator. At first blush, I have little sympathy for the amendment, but it is worth our while to at least consider it overnight, so I move the adjournment of the debate.

(On motion of Senator Comeau, debate adjourned.)

#### CRIMINAL CODE NATIONAL DEFENCE ACT

#### BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Meredith, for the second reading of Bill C-48, An Act to amend the Criminal Code and to make consequential amendments to the National Defence Act.

**Hon. George Baker:** Honourable senators, I want to say a few words. I think that it would do us well to have the bill proceed to the committee for extensive examination.

We are not like the House of Commons — we have seen this happen with many bills over the years — where they introduce a bill, then a couple of days later they move a motion that it be deemed to have been read a second time, deemed to have been

sent to a committee, deemed to have been reported and then deemed to have been read a third time. That approach has been taken many times.

The Senate does not take that approach. Consequently, when honourable senators look at all our case law in Canada — all the decisions of the quasi-judicial bodies, federally and provincially, as I have referenced before — they see the Senate mentioned, of recent, three times the number of times that the House of Commons is mentioned, as far as legislation is concerned.

Only last week, the Supreme Court of Canada, in *R. v. Ahmad*, 2011, SCC 6, said, at paragraph 68:

Parliament's understanding of the respective roles of judges conducting criminal trials and Federal Court judges is perhaps best understood by reference to the following exchange made before the Special Senate Committee on the Subject Matter of Bill C-36 . . .

Then, the court goes on to quote the exchanges that took place in that Senate committee. That was only last week, by the Supreme Court of Canada.

Senator Stratton is sitting in his place today. He has been quoted recently more than any other senator or member of Parliament because of a recent change to the impaired driving provisions. I have mentioned this case before, but the Ontario Court of Justice, Justice Fraser, in another decision — we see these words often now, and there are many cases:

Senator Stratton, speaking as sponsor of the second session Bill C-2 in the Senate, also referred to the purpose of legislation as restricting evidence to the contrary to “scientifically valid defences.”

As Your Honour knows — you were a professor of law and you taught the provisions of section 253 of the Criminal Code — the Senate passed a bill, a government bill, giving a new definition to “evidence to the contrary” — only scientifically approved evidence is now admissible. Of course, each of the judges now blame Senator Stratton; well, they do not blame Senator Stratton, but they have to quote someone. Therefore, they go to the Senate, more often than not. Of course, the fellow being convicted often thinks that Senator Stratton has been responsible for a good many people behind bars of recent.

• (1550)

That is what happens when a body such as the Senate seriously deals with legislation and the committee examines the legislation diligently. It leads to the position the Senate holds — that the House of Commons does not hold — that it is a legislative body and not a political one. New senators should realize that perhaps the most important distinction between the two bodies is that the House of Commons maintains the government's accountability to the people. That is their primary function. Today, it is perhaps their most important function, simply because the Senate has taken over the legislative function of the House of Commons, as is witnessed in our court judgments.

When the judges determine the purpose of the legislation, they first go to the second reading sponsor of the bill in the Senate. With the legislation that is being passed now, in five and ten years'

time, one will see senators' names mentioned and, of course, in introducing legislation, senators have to be careful that they do not give their own opinion of the legislation as much as they are duty-bound to give the government's position — the position of the Department of Justice — of the legislation so that judges can see exactly what the purpose of the legislation was.

This bill was introduced by Senator Lang. Very briefly, I think Senator Lang outlined the purpose on February 10, 2011, as follows:

It would authorize a judge to order that convicted multiple murderers could serve separate, 25-year periods of parole ineligibility to account for the second and each subsequent victim of their crimes. Most importantly, these additional 25-year periods would run consecutively to the period of parole ineligibility imposed for the first murder.

That tells us that if one takes any of the recent examples, such as the *Bernardo* case or the *Williams* case, where two murders were involved, each of them received a life sentence with ineligibility for parole for 25 years. The logic of that over the years in our system of justice has been that one can only serve one life term of anything; one does not have two lives.

This bill will give the discretion to a trial judge to say, “For the first murder, life imprisonment, no chance for parole for 25 years, first degree; and, for the second murder, another 25 years of parole ineligibility.” It would then become 50 years.

If these murders had taken place after the passage of this bill, according to this legislation, the judge would be duty-bound under the Criminal Code to consider that and to report reasons for not imposing the second life term with the second 25-year period of ineligibility. In substance, as Senator Lang outlined it, that is what this bill does.

In the *Pickton* case, there were six murders, so one would multiply the possibility, because they were second degree convictions, with the first being 10 years but each subsequent one being 25 years added on.

In the case of Clifford Olson, Senator Lang referenced that particular case and said:

In these cases, judges will have the new power to effectively eliminate the need for victimized families to suffer through a series of parole applications that too often do little more than stir up painful memories.

Senator Lang rightfully also referenced the fact that this bill was introduced 10 years ago by a Liberal member of Parliament who is still a member of Parliament and that it was in fact passed by the House of Commons but did not pass the Senate at that time.

What Senator Lang is saying is that, currently, a person who is convicted and receives a life sentence, when the 25 years are up, the parole hearing takes place and every two years thereafter, that person has the right under the law to a parole hearing.

We know there is no chance of parole. Clifford Olson's first words at each one of his parole hearings was, "You would have to be crazy to release me," yet he commands this attention and subjects the families of the victims to this every single two years.

Honourable senators, Senator Lang has suggested — and I think Senator Boisvenu has done considerable work on this subject, as well — that this legislation would certainly address that problem. However, this bill applies only to murders that take place after the passage of this bill. That, perhaps, is the first area that will be examined by the Senate committee. Why would it not apply to murders that have taken place prior to the passage of this legislation but a determination not made and not tried until after the passage of the legislation?

I think the witnesses that we will hear from will make a big point of the fact that the judge is restricted in his discretion to add on only 25-year periods. In other words, a judge cannot say, "It is 25 years for the first murder, 10 years for the second one, and 5 years for the next one." No, that discretion is not there. The discretion is only there to consider 25 years added on to the first murder conviction. That would perhaps be the first criticism of the legislation itself from the Criminal Lawyers' Association, and I am sure Your Honour would agree.

Senator Lang also made reference to the fact that the companion piece of legislation, Bill S-6, the proposed Serious Time for the Most Serious Crime Act, will effectively repeal the faint hope regime for all future murderers. That is something else that I am sure will be visited by witnesses before the committee.

As some honourable senators will recall, Canada passed the law to do away with the death penalty in 1976. I was a member of Parliament at that time. I recall the legislation clearly. The provision passed said that for first degree murder there was a 25-year term of parole ineligibility. The term of 25 years was the recommendation of the Canadian Police Association, as I recall. At that time, it was selected to stand out as being what some people would call harsh. In order to get the legislation passed, there had to be those "harsh provisions." Thereby, it raises, perhaps, a question that will come up to the committee that was not raised in the House of Commons. None of these issues was raised in the House of Commons, but an issue that may come up is the constitutionality of the provision.

• (1600)

As honourable senators will recall, the case was *Luxton*, Supreme Court of Canada, regarding the 25-year ineligibility for parole provision, where the case was being tried on whether it was a violation of section 12, cruel and unusual punishment. The Supreme Court of Canada ruled that 25 years was not cruel and unusual because of the faint hope provision. I am not suggesting that I think that will happen, but perhaps that provision will be raised in committee in the consideration of this bill.

Honourable senators, I believe that Senator Lang did an excellent job of outlining the government's position on the bill, and we should consider it carefully in committee to give it the substance that judges will be looking for.

In conclusion, honourable senators, in the other place right now, they are debating a provision produced by the NDP that the Senate should be eradicated, dissolved.

Most honourable senators will recall that about two years ago, the House of Commons passed an omnibus bill of 500 pages that did away with the tax credit for the Canadian film industry but left the tax credit for the American film industry. Do honourable senators remember? The NDP voted for the bill. Then they had a meeting with the film industry and the actors' guild, and the NDP gave us their explanation. They did not read the bill. They missed nine pages in the bill. However, they said, "To correct our mistake, we are asking the Senate to make sure that that bill does not pass."

What a mistake. Granted, it was a 500-page bill, but it was a new subject. I looked at it and wondered how they could miss nine pages. It did go to a committee, but they passed it in five motions, 100 pages at a time: "Shall clauses 1 to 100 pass?" "Yes." "Shall clauses 200 to 300 pass?" "Yes." That is how it was passed, and that is how they missed the nine pages.

Honourable senators, the NDP came to members of the committee individually, asked them to stop the bill, and said publicly that they were calling on the Senate to stop the bill. Well, the Senate did stop the bill. We did not pass the bill, and it was never reintroduced.

Only three months later, the Senate was called upon to address a bill that changed the Elections Act. That legislation would have released the names, addresses and birth dates of all voters in Canada. Again, the House of Commons said it did not realize what it was doing, and the NDP called on the Senate again to correct the legislation. The Senate corrected the legislation, sent it back to the House of Commons, and the House of Commons approved of our change.

Honourable senators, in answer to the NDP's motion today in the House of Commons, we should say that if the NDP is suggesting the eradication of the Senate, then they must assure Canadians that in the future the NDP will read the legislation they vote for.

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

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

**Hon. Senators:** Question!

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

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

**IMMIGRATION AND REFUGEE PROTECTION ACT****BILL TO AMEND—SECOND READING**

On the Order:

Resuming debate on the motion of the Honourable Senator Eaton, seconded by the Honourable Senator Rivard, for the second reading of Bill C-35, An Act to amend the Immigration and Refugee Protection Act.

**Hon. Mobina S. B. Jaffer:** Honourable senators, I rise today to speak on Bill C-35, An Act to amend the Immigration and Refugee Protection Act.

Immigration to our great country has always been a bedrock of our society. Canada, throughout its history, has always served as a global leader in attracting immigrants from all over the world. This trend not only continues today but also is even more evident than ever before. People come here because they want a new beginning. They want to create a new life, not only for themselves but, more importantly, for their children. They want to come to a place where, with hard work and dedication, their potential can be limitless. Canada is a place that can make this dream a reality. I understand this process personally because I came to this country as a refugee with my family nearly 30 years ago.

My husband and I left everything behind and came here because we wanted to give our children a better life. So many other people are prepared to do the same and, to use the appropriate word of my colleague, Justin Trudeau; it is “disheartening” that some individuals out there exploit for personal profit the dream of immigrants and refugees of becoming Canadian.

Bill C-35 has highlighted, and now intends to rectify, a flaw in our immigration framework that has allowed unofficial immigration consultants to defraud vulnerable would-be Canadians of their hard-earned finances by portraying themselves as being able to help with attaining citizenship when, in fact, they cannot.

Through the problematic process of charging those who want to become Canadians with consulting and representation fees and not delivering tangible results, these crooked consultants have for much too long been able to swindle innocent individuals and families.

Honourable senators, as highlighted in the House of Commons Standing Committee on Citizenship and Immigration and by the Honourable Senator Eaton, sponsor of the bill in this place, the use of unofficial immigration consultants or “ghost consultants” is a prevalent practice in our immigration framework. The operations and actions of these defrauders has a negative impact on not only those innocent individuals and families they manipulate and hurt but also affects our Canadian society as a whole. It gives our great country a bad reputation in the global immigration framework, and this reputation dissuades people from wanting to immigrate here. This situation is unacceptable because we are a country that has always been, and continues to be, welcoming of the world and its people.

• (1610)

These “ghost consultant,” who, for too long, have operated in an illegal, unethical and dishonest manner, have found loopholes in our immigration system that have allowed them to continue their manipulative practices. They have gone unchallenged for too long. Without any proper regulation and punishment of said consultants, we are facilitating their actions. Bill C-35 will attempt to stop this facilitation.

This bill will change the immigration framework so that only authorized immigration representatives are allowed to provide consulting services to would-be Canadians. This bill means that only those lawyers, notaries and authorized consultants who are members in good standing of a governing body authorized by the Minister of Citizenship, Immigration and Multiculturalism may provide advice or representation at any stage of a proceeding or application.

Those who are found to be operating as an unregistered immigration consultant by said governing body will be punished with financial penalty and jail time under this bill. Bill C-35 creates a framework of not only regulation and accountability but also punishment when necessary in terms of immigration consulting services. This bill is exactly what is needed at this moment.

Honourable senators, I have worked in the field of immigration for over 30 years. Throughout this time, I have worked closely with refugees, many of whom have been women.

I can give honourable senators numerous examples of how people's lives have been completely destroyed as a result of not receiving qualified representation from immigration consultants.

A case that stands out in my mind is one that involves a Jordanian woman who, for the purposes today, I will refer to as Fatima — that is not her real name. Fatima was the victim of shoddy work by an immigration consultant. When I first met Fatima, my heart broke. Tears streamed down her face. Her entire body was trembling, and it was extremely clear that she had been physically abused. She had scars all over her face and arms.

It took many meetings with her to piece together why she had fled Jordan, leaving her two daughters behind. Soon I learned that Fatima was not only a teacher who worked long hours at a prestigious private school, but she was also a proud mother of two teenage daughters.

Unfortunately, her husband and his family suspected she was having an affair. Believing that Fatima had stained their entire family's reputation, they attempted to kill her. She was the victim of an attempted honour killing. Although they were unsuccessful in their attempt, Fatima still was forced to spend several months in the hospital. During this time, with the help of her friends and family, she found a way to escape to Canada, upon her release from the hospital.

Once she arrived here in Canada, however, she lost her refugee case because the immigration consultant representing her was not adequately learned in immigration law to represent her.

Honourable senators, in our country, the refugee and immigration convention defines a refugee as a person who fears persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion.

Although Fatima was not seeking refuge for one of the reasons listed in the convention, she would still be considered under the Canadian gender guidelines, which were specifically designed for cases like the one I have described. Unfortunately, the immigration consultant representing her was unfamiliar with the gender guidelines and therefore was unable to represent her case appropriately.

Finally, after a six-year battle, she was allowed to stay in this country. I will never forget the day I told her that she would be allowed to call Canada her home. She was overwhelmed with happiness and, once again, tears streamed down her face, except this time they were tears of joy. Although we cannot remove her physical scars, we can provide her with a better life.

Honourable senators, our country gave Fatima a second chance and welcomed her and her daughters with open arms, affording them with the rights and opportunities granted to all Canadians. Although we may not be able to change her past, we have made sure that this woman and her daughters have a brighter future. For this future, I am certain that she will be eternally grateful to Canada.

The unfortunate reality is that there are many people out there like Fatima, people who have been emotionally and physically victimized and have been robbed of everything they own. This is why it is of great importance that people who are fleeing persecution have access to consultants who can provide adequate and sufficient representation.

Fatima's case should have been resolved in one year. Instead, it took six years. A woman who had already lost everything was taken advantage of by an immigration consultant who was unable to do his job.

I believe that Bill C-35 will ensure that consultants like the one who represented Fatima can no longer prey on victims in vulnerable situations. I have highlighted one story, but there are thousands more. I am sure all honourable senators know of other examples that are equally unjust.

Honourable senators, I have been following the developments of this bill since it was first introduced in the house by the Honourable Minister of Citizenship and Immigration, Jason Kenny. Not only am I pleased with its content, but I am equally pleased that this bill is the product of the joint work of all parties. The passing of this bill is something all parties can take credit for. As we all know, there are times when many of us must differ in terms of ideology on certain issues, and this is acceptable. However, there are also times when we must work together so as to have the greatest effect for change for the most vulnerable.

Honourable senators, Canada as a nation can be proud of its status in the international framework. Canada is a place many people from around the world yearn to be a part of one day, and a place many are privileged to call their home. My family and I chose to come to this great country, Canada, because we knew it

would offer to us what no other country could, a place where we would be allowed not only to hold on to our traditions, culture and way of life, but also a place that would provide us with basic dignity, rights and freedoms.

Canada still offers this dream to many people. While some are privileged to one day attain it, many are taken advantage of for this same aspiration. Bill C-35 is the solution to this plagued practice as it will establish a framework that will regulate the immigration consulting process effectively. This bill will help truly the most vulnerable. I urge all honourable senators to support this bill.

**The Hon. the Speaker *pro tempore*:** I must advise honourable senators that if Senator Eaton speaks now, it will have the effect of closing debate on this matter.

**Hon. Nicole Eaton:** Honourable senators, it is a wonderful bill. Thank you for your support. I move second reading of this bill.

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

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

[Translation]

## SELECTION OF SENATORS BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Brown, seconded by the Honourable Senator Runciman, for the second reading of Bill S-8, An Act respecting the selection of senators.

**Hon. Andrée Champagne:** Honourable senators, some people are giving all senators a very bad reputation.

We are accused of being old political hacks who were offered this prestigious appointment in return for services rendered to one of the two main political parties. Most importantly, people think we are overpaid to do nothing.

• (1620)

I cannot remember which one of our predecessors was caught dozing off during a sitting. It was surely the result of too much work to do or a bit too much to eat at lunch. These are things that can happen to anyone, anywhere. The photo made the rounds of the country and continues to sully our reputation and

diminish the meaning of our work and the long hours that we spend preparing to fulfill our responsibilities in the Senate and on the various committees to which we are assigned.

I once offered to let a journalist follow me around for a typical week at work. I was turned down, which is not surprising. In addition to the hours we sit, who else would want to subject themselves to the amount of research, reading and writing that fills our days, our evenings and even our nights? One has to love this work to take it on with such enthusiasm and patience. And now our legitimacy is being called into question because we are not elected by the people in the provinces we represent.

I have to admit that I am very reluctant to support what is being proposed in Bill S-8 and all the issues it raises . . .

A few months ago, a bill to limit the number of years served by a senator in the upper chamber was defeated in the other place, which we do not even dare call by name. A term of office of 6, 8, or even 12 years was proposed.

I agree with Senator Nolin who says that we do not automatically become effective senators the day that we are sworn in. It takes time just to learn the very special procedures of this place. I had to forget a great deal of what I learned in my nine years as an MP and almost seven years spent in the big green chair in the other place.

Since arriving in the Senate, how many times have I checked with our clerks when the procedure was the opposite of what I had enforced at the other end of the hallway? I will take this opportunity to thank them for their patience and their clear explanations. I spent dozens of hours rereading and trying to learn the contents of our little red book, which is found in all our offices.

It has been proposed that a duly elected senator could only serve for six years. That is a very short time in which to acquire the knowledge and wisdom needed to make the best decisions for Canadians.

One of the things I am wondering about is this. After six years, could the senator ask that his term be renewed for another six years? If I am not mistaken, Senator Brown has been elected more than once in his native Alberta. An affirmative answer leads to another question. When the Senate was created, Quebec was already doing things its own way — this has not changed and I am not telling you anything new. The Fathers of Confederation, concerned that the senators chosen and appointed would all be from Montreal and Quebec City and that the welfare of remote regions would be neglected, established senatorial districts in Quebec. Each and every one of us from this province represents a Quebec region. I was assigned the region of Grandville, which is located in the Lower Saint Lawrence and stretches from the river to the U.S. border, far from Montérégie, where I have lived since my birth and where I have owned property since the 1960s.

In 2005, I received a call from Prime Minister Paul Martin asking if I would be interested in becoming your colleague. That was in mid-July, close to my birthday, and I will admit that it was a very much-appreciated gift. A few days later, I received by courier or fax a map of the region that I was going to be asked to represent and where I had to own property.

In July, throughout Quebec, the bell rings for what we call the “construction holiday.” Needless to say, real estate agents take that opportunity to go away as well. How could I find a little piece of land more than 500 kilometres from my home without tipping anyone off, without the entire province knowing that I was being appointed to the Senate of Canada? I was warned that keeping this a secret was as important as becoming a landowner. I even hid the news from my father, who is in his 90s, until a few days before the swearing-in ceremony. It was no small feat, especially with phone calls from Ottawa every morning to find out whether the transaction had been completed.

Let us come back to Bill S-8. Should a senator representing a district in Quebec be elected by residents of the designated region during municipal elections or by Quebecers from every corner of the province during a provincial election? If the senator wanted to seek a second term, whom would he or she ask?

If senators from Quebec are to be elected during municipal elections, they will have to campaign in the assigned region. My region is a five- or six-hour drive from my home. Should I go there every weekend and try my best to do what MPs currently do, and travel throughout the region, getting to know the mayors and all the municipalities and familiarizing myself with their concerns?

In the Senate, we have enough time to conduct thorough reviews of bills and to prepare amendments, if necessary. Anyone who was the member of Parliament for an urban and rural riding for nine years knows full well, through experience, the tremendous amount of time it takes to properly cover a riding — without ever satisfying everyone. Who among us would be prepared to do that before hoping to become a senator or seeking a second term six years later?

The other proposal is that the list the provincial premiers would submit to the Prime Minister of Canada would be subject to a vote in the National Assembly of Quebec or the other provincial legislatures. The Premier of Quebec has said he wants to wash his hands of the matter, that this is the prerogative and duty of the Prime Minister of Canada. However, if — God forbid — there is a change in government in Quebec, what is to say that another government would see things the same way?

Some claim that our Senate is already too partisan. The vast majority of us represent one of the two established parties. Nonetheless, we all share a great ideology: we believe in Canada with all its provinces and all its territories.

Senator Brown’s proposal opens the door to independence-seeking senators, who, like their PQ and Bloc Québécois colleagues, would dream only of ripping our country apart. Senator Brown pointed out that, if need be, the Prime Minister of Canada could simply choose someone else from the list submitted by the province. In my opinion, that poses another problem. If the final decision is not subject to the strict results of a vote, why should we even bother with a vote, which would be costly for whoever is in charge of organizing it and would only cause us to squabble even more?

As some of our colleagues have pointed out, would senators elected in that manner properly represent the interests of the various regions and the Aboriginal peoples? Would such an

election ensure that as many women are included? Look at the small percentage of women elected to the other place and the number of women senators in this chamber and the response is very clear.

If senators were elected by the luck of the draw, would we find such a variety of skills and life experiences in such wide-ranging, yet specialized, domains?

Those are some of the questions I continue to ask myself regarding Bill S-8. Perhaps I will find some answers to my questions and some of my fears will be allayed before we proceed to a vote. There is also the question of how the elected members in the other place will react to such a bill.

Many members have yet to grasp the importance and significance of our work.

• (1630)

Although they sometimes agree with our suggestions or proposed amendments, they do not really appreciate the fact that we can always give their decisions one last and wiser look. They would rather we disappear, regardless of what it says in our Constitution, a document that some of them have never even bothered to read.

Contrary to the allegations of some, our Senate is not dysfunctional. Far from it. What are the actual symptoms of this illness with which some believe we are stricken?

Finally, what illness does Bill S-8 propose a cure for? A condition that no one seems to be able to specifically describe? Are we sure that a dose of electoral medicine will not do more harm than good?

For one thing, nothing and no one has yet to convince me that there is any need, a century and a half later, to start over from scratch, when the current system is still working very well. After second reading, will a thorough review by one of our committees find answers to my questions? I am keeping an open mind and will continue to listen with great interest to what you, honourable senators, have to say about it.

**Hon. Joan Fraser:** Will Senator Champagne take a question?

**Senator Champagne:** Of course.

**Senator Fraser:** First, I would like to commend the honourable senator on the questions she has raised, which are among the most important questions we have to answer on this topic.

I would like to ask Senator Champagne to take note of the information I am about to give. She spoke earlier of a senator who one day was photographed sleeping on the benches of the Senate. She said that perhaps he had worked too hard or had eaten too much for lunch. I knew that senator. He adored the Senate. He had the utmost respect for the Senate.

At that time, his wife was very ill. She passed away several months later. He spent his nights taking care of her and then he came here to try to do his job. That is why he was tired. It was not because he had too much to eat for lunch.

**Senator Champagne:** Thank you for enlightening me. I had a fleeting image in my mind but I could not remember who that was. I do, however, remember that many people said afterward that senators did no work and were even falling asleep on the job.

That is why I said I thought it was very unfair because all of us work very long hours to do the work we are asked to do as best we can.

I mentioned this little incident because of all those who always are under the impression that we are paid to do nothing and that we do not work. I do not know who took the photograph because a photographer must have permission to enter the Senate. However, that day, someone took a photograph and gave it to some people who obviously were not fond of senators or the work that is done in the Senate.

**Hon. Claude Carignan:** Honourable senators, I am pleased to speak today to Bill S-8, an act to change the selection process for senators.

With each new appointment to the Senate, the debate about abolishing or reforming it resurfaces for a few days and then fades away.

With a minority government in the House of Commons and a government majority in the Senate, debate about the legitimacy of the institution is likely to occur every time there is a Senate vote that goes against that of the duly elected members of Parliament.

Honourable senators, after more than a year in the Senate, I am more convinced than ever of the need for reform of the appointment process and the length of terms. Although some believe that abolishing the Senate is a valid option, it would have disastrous effects on regions of Canada, especially Quebec.

A number of federal states in the world, approximately 80 countries, have a bicameral legislature with a lower chamber — our House of Commons — with representation by population, and an upper chamber — our Senate — with regional representation.

In Canada, Quebec has 24 out of a total of 105 senators. Except for the Supreme Court, the Senate is the only federal institution where Quebec's representation is guaranteed by the Constitution, no matter what its population.

By 2036, the population of the rest of Canada will increase proportionally and more significantly than that of Quebec. Thus, the relative weight of Quebec in the House of Commons may be significantly reduced by the application of the constitutional principle of representation based on population. The number of senators will not change. In 1865, George Brown, then the Liberal leader of Upper Canada, stated:

But the very essence of our compact is that the union shall be federal and not legislative. Our Lower Canada friends have agreed to give us representation by population in the Lower House, on the express condition that they shall have equality in the Upper House. On no other condition could we have advanced a step; and, for my part, I am quite willing they should have it.

That is why, honourable senators, Quebec feels it is so important to have a long-term vision, to legitimize senators and to base their selection on provincial concerns.

[English]

While abolishing the Senate would be an obvious mistake for the province of Quebec, the need for in-depth reforms to this institution is clear. In fact, it is surprising to note that even today Canada is one of the federal states, along with Bahrain, Jordan, Oman and Yemen, which form the limited group of countries where a single individual is responsible for selecting senators.

[Translation]

Prime Minister Stephen Harper rightfully hopes to democratize and modernize the Senate and, in this spirit, has introduced two bills, including Bill C-10, which aims to limit Senate terms to eight years. A second bill, Bill S-8, aims to have Senate nominees elected in provincial elections. These nominees would effectively be affiliated with provincial parties.

[English]

In so doing, the Prime Minister is using an old claim from Lower Canada predating the passage of the British North America Act, 1867. At the time, members of the legislative council of Lower Canada were elected, following a system in place since 1856.

[Translation]

In 1865, member Jean-Baptiste Dorion made a statement in support of reforming the now-defunct Legislative Council. His words still hold true 156 years later. He made the following statement opposing Confederation:

I am opposed to the scheme of Confederation because it takes away from the people of this country political rights which they have won by many years of struggles; among others that of electing its representatives in the Legislative Council, as it does its representatives in the Assembly. Since 1856, we have enjoyed an elective Council. For more than half a century that reform had been asked for. Our claims were urged in the press, in public meetings, in petitions to Parliament and to the home Government, and in the form of direct motions in the House. The Legislative Council, as constituted previous to the Act of 1856, had become highly unpopular; it had also fallen into a state of utter insignificance. By infusing into it the popular element by means of periodical elections, it was galvanised into life and became quite another body in the estimation of the people.

• (1640)

Honourable senators, I find that last sentence so interesting that I want to repeat it:

By infusing into it the popular element by means of periodical elections, it was galvanised into life and became quite another body in the estimation of the people.

What arguments were there in favour of an unelected Senate? Here are some examples.

[ Senator Carignan ]

Hector Langevin, a minister for Lower Canada, said:

The very nature of the system prevents a large number of men of talent, of men qualified in every respect and worthy to sit in the Legislative Council, from presenting themselves for the suffrages of the electors, in consequence of the trouble, the fatigue and enormous expense resulting from these electoral contests in enormous divisions.

Honourable senators, could we honestly support that position in this day and age?

George-Étienne Cartier was deeply opposed to universal suffrage. In 1850, he was singing the praises of property, saying that he was pleased that the 1840 constitution provided for a lower chamber made up of men who owned property. He declared:

We thus have the guarantee that they shall not act like the Socialists and Radicals of Paris.

In 1865, he said the following, regarding universal suffrage in the United States and its powerlessness:

On the other side of the line the dominant power is the will of the masses, of the populace.

[English]

Honourable senators, we all know the work we accomplish in this chamber is thorough, conscientious and fundamental for a better democracy. What does the public think of our work?

Personally, I think Senate reform proposes to legitimize this institution's existence in the eyes of our fellow Canadians. Indeed, the efficiency of senators and the Senate cannot be altered. However, the Senate's efficiency and role are currently being seriously questioned because of this institution's lack of legitimacy. Both the system and the institution are not aging well at all.

[Translation]

Take for example the dichotomy between the original intention and the effect today, even though it is a separate issue. In 1867, senators were appointed for life, but what was the life expectancy in 1867? In Canada, the data are difficult to obtain, but take for example the data from France. In 1867, life expectancy for a man was 43 years.

Another example: the \$4,000 worth of real property required to qualify us to be a senator would today, according to various indexes, be close to \$1 million. Who among us would qualify?

Coming back to the election model, Mr. Dorion also said, during the Confederation debates, with regard to the legitimacy of the elected Legislative Council:

The electoral system completely restored its prestige, entitled it to the respect of the people, and gave it an importance it did not previously possess.



It took only 10 years, from 1856 to 1865, to give the elected Senate legitimacy and public respect.

Next, with regard to the relevance of the Senate, after studying the history and adoption of our Constitution, I studied part of the modern world. What countries in the world pass their legislation in a bicameral system? Almost every democratic society has a chamber of sober second thought. Every G8 country, every Commonwealth country and almost every G20 country has a regional chamber of sober second thought. I also noticed that 80 per cent of the other senates are elected in various ways and that senators in those chambers have renewable terms that rarely exceed five years.

Honourable senators, in my research on the world's senates, I was struck to see that our country is on a very short list of countries where senators are appointed by just one person. Here is this short list: Bahrain, a monarchy; Bosnia-Herzegovina, a republic; Canada, a democracy; Jordan, a monarchy; Lesotho, a monarchy; Oman, a monarchy; Yemen, a republic. We can include the United Kingdom on the list if we do not consider the hereditary lords.

Honourable senators, out of roughly 80 countries with an upper chamber, only eight have senators appointed by just one person. All the other countries have direct or indirect public involvement in the selection of their senators and only two countries appoint senators for such a long period — 75 years and for life — Canada and the United Kingdom.

Furthermore, in that regard, I would invite my Liberal colleagues to draw inspiration from one of their Liberal predecessors, who, during a debate on the existence and nature of the Senate, made the following statement before the House of Commons on April 13, 1874, shortly after the Liberal Party had taken power. Seconded by Liberal MP Edward Blake, Liberal MP David Mills moved:

That the present mode of constituting the Senate is inconsistent with the Federal principle in our system of government, makes the Senate alike independent of the people, and of the Crown, and is in other material respects defective, and our Constitution ought to be so amended as to confer upon each Province the power of selecting its own Senators, and of defining the mode of their election.

Although this proposal was not approved by Parliament or the government, it is interesting to note that, even at that time, the question of the legitimacy of the Senate was being raised.

In that sense, honourable senators, and from a more contemporary perspective, it is interesting to read the comments of the renowned constitutionalist Benoît Pelletier, who wrote:

The Senate suffers from a double deficit. First, it lacks legitimacy, because the senators are not elected, but rather appointed to serve the purpose of the federal prime minister of the day, without consultation with the provincial premiers. Second, it has a representation deficit, because the senators do not represent their home provinces, but rather the political party with which they are affiliated through their appointment.

What does Professor Pelletier propose to correct the situation? Here is his answer:

If the upper chamber in a federation is supposed to represent the interests of its federated entities, we should turn to those entities to ensure their proper representation. Two formulas are possible: either the federated entities elect the senators, or senators are elected during regional elections based on regional parties, where they exist. The second option presents a better response to the problem of legitimacy than the first option, but both aim to better represent regional interests at the federal level and to translate the political diversity that exists throughout the federation. By adopting the second solution, Canada would be a pioneer and would be demonstrating its real desire to represent regional interests at the federal level.

[English]

Honourable senators, voices in favour of Senate reform have been heard since the establishment of this institution. However, one difference sets apart today's claims: Soon, a majority of senators will be advocating Senate reform. This intention is illustrated perfectly in Bill S-8. Not only does it reflect several arguments for the need to reform the Senate with a view to achieving greater legitimacy —

**The Hon. the Speaker *pro tempore*:** I regret to inform the honourable senator that his time has expired. Does the honourable senator wish to ask for more time?

**Senator Carignan:** Yes, please.

**Some Hon. Senators:** Five more minutes.

**Senator Carignan:** Honourable senators, Bill S-8 also respects provincial and territorial autonomy as it relates to the selection process of senators and takes into account their opinion and regional characteristics.

[Translation]

Clause 1 of Bill S-8 set outs the principle of appointing senators from a list provided by the provinces and territories.

• (1650)

Clause 2 sets out the different options that could be chosen by the provinces and territories to elect senators.

I believe that this bill is modern, dynamic and characterized by wisdom and a true desire to respect our different regions and our minorities.

The Senate's lack of legitimacy, in both its method of appointment and the length of senators' terms, hampers our effectiveness. Modern society will no longer tolerate being governed by any type of illegitimate institution. An illegitimate Senate is an ineffective one, even though we try to convince ourselves otherwise.

The debate surrounding Bill S-8 leads me to wonder whether I have set foot in an institution stuck in time, one that is impossible to modernize, or whether I have instead set foot in an institution composed of people who are open to the world, pragmatic, respectful of democracy and willing to modernize in order to maintain their true role of protecting the regions and minorities?

Without this legitimacy, the Senate is at risk of being abolished sooner or later. For minorities, the regions, Quebec and Canada, abolishing the Senate would be a clear mistake and the result of our refusal to face facts. A democracy must be governed by the people and for the people. The people are never wrong, and if for some reason they were, they would be the ones to suffer the consequences.

Honourable senators, I urge you to strongly support Bill S-8.

[English]

**Hon. Art Eggleton:** Will the honourable senator accept a question?

**Senator Carignan:** Yes.

**Senator Eggleton:** In asking this question, I first want to note the comments of Senator Champagne, which brought about some very legitimate questions in dealing with it, particularly about the diversity of this chamber — the various backgrounds represented by the people who sit here, many of whom would not be here in an elected Senate. That would not be the nature of what they would do, but they do make a valuable contribution to the consideration of sober second thought and the development of public policy. I think Senator Champagne has asked some legitimate questions.

However, I am surprised the honourable senator said he thought this was an illegitimate institution. I am surprised he accepted an appointment to it. However, he did note — and this is something I agree with — that it should not be the private purview of one individual to appoint people to this body. The prime minister of the day, whoever that is, is the person who appoints the people to this place, and I agree with him on that.

Is there not a third way, a way that does not involve going to a fully elected body, which would be more like the institution in the United States, where it would become a much more political body as opposed to the kind of diverse entity we have here? That would be to have people recommended by provinces or by a group of peers or eminent persons, or by a combination thereof. Such is the case of appointments to the Supreme Court of Canada, where the vetting has been quite successful in the history of this country. It could even be the Order of Canada, if one likes.

Is there not a third way we could consider to have this institution continue in a very representative way, without it being the appointment of one person?

[Translation]

**Senator Carignan:** With regard to my appointment, I believe that it is an extraordinary privilege to be appointed as a senator by the Prime Minister. However, I am also convinced that it would be just as significant to be elected by 250,000 people.

[ Senator Carignan ]

I made charts of the various appointment processes used by the 80 senates around the world. Clearly, there are different appointment processes but I believe that the one that is the noblest and the most respectful of modern democracy is election by the inhabitants of the region represented. Perhaps the study in committee could expound upon other ways of making a list of senators, whether it be by nomination or candidate suggestions.

A number of the countries that I named earlier are currently experiencing democratic turmoil. I therefore believe that senators should be chosen using an election process.

(On motion of Senator Cowan, debate adjourned.)

[English]

## CORRECTIONS AND CONDITIONAL RELEASE ACT

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

**Hon. Larry W. Smith** moved second reading of Bill C-59, An Act to amend the Corrections and Conditional Release Act (accelerated parole review) and to make consequential amendments to other Acts.

He said: Honourable senators, I am pleased to support the motion before us today and take part in this debate.

[Translation]

Allow me to take a moment to thank the members of the other house who supported Bill C-59. They are determined to ensure the safety of Canadians and that is why they are doing everything they can to have this bill passed quickly.

[English]

Bill C-59 is about accountability. When an offence is committed, offenders must be held accountable for their crimes. Justice is served when the sentence for the crime is served. Bill C-59 will put an end to accelerated parole review and will repeal sections of the Corrections and Conditional Release Act that governs these provisions.

[Translation]

As a result, all offenders, regardless of the nature of their crimes, will be treated equally when it comes to eligibility for parole.

[English]

Honourable senators, Bill C-59 is a clear-cut and necessary change. Bill C-59 will put an end to a system that makes individuals who commit white collar or non-violent crimes to be eligible for parole sooner than those convicted of violent crimes.

[Translation]

As a result, with regard to the granting of parole, there will no longer be any distinction between those found guilty of non-violent or white collar crimes and those found guilty of violent crimes. All offenders will be assessed based on the same criteria, regardless of their crimes.

[English]

Under the current system, first-time offenders convicted of fraud and other non-violent offences are eligible for day parole after serving only one sixth of their sentence, with full parole after one third of their sentence.

[Translation]

The existing legislation is clear. The Parole Board of Canada must release a non-violent offender into the community under supervision unless it has reasonable grounds to believe that he will commit a violent crime once released.

Honourable senators, does that seem just and fair to you?

[English]

If one were to ask those Canadians who fell victim to fraud and lost their life savings, I am absolutely sure the answer would be a resounding “No, we do not believe that the current system is appropriate.”

[Translation]

We do not believe that the current system is appropriate.

It is true that white collar crime was long considered a faceless crime whose victims were big businesses, companies and governments.

• (1700)

However, honourable senators, in recent years, it is law-abiding Canadians who have lost everything: their future, their relationships, their dignity.

[English]

Crimes like fraud are typically non-violent, but the harm done by these white-collar offenders leaves its victims devastated nonetheless.

[Translation]

Not only do victims of white collar crime suffer financially, but they also suffer the humiliation of being ripped off and having handed over their entire life savings to someone they trusted.

[English]

When a white-collar offender, who may have destroyed the futures of many law-abiding Canadians, is able to leave prison well before their sentence is over, would we say that justice has been served? I am sure many victims of white-collar crimes will say they feel frustrated with a system they feel protects these offenders. Canadians are outraged and are demanding that the rights of law-abiding citizens are balanced against those of offenders.

Honourable senators, this government is listening to Canadians, and we will do whatever is necessary to tackle crime and stand up for victims' rights by ensuring victims' voices are heard and their concerns are addressed.

[Translation]

Bill C-59 enables us to move forward with the government's tough-on-crime agenda.

Honourable senators, for the past five years, the government has had an impressive record of improving the safety of individuals and communities.

[English]

We have invested in crime prevention, in law enforcement and in providing the necessary tools for police. We have also demonstrated our commitment to victims' rights. Most recently this week, Parliament passed Bill S-6, the serious time for the most serious crime act. This legislation repeals the faint hope clause that allows those convicted of murder to obtain early parole.

[Translation]

With the elimination of the faint hope clause, an offender who is found guilty of first degree murder is not eligible for parole until he has served his full 25-year sentence.

[English]

Similarly, offenders serving life imprisonment for second degree murder are no longer eligible for parole until their full ineligibility period is served, which can be up to 25 years.

In line with Bill C-59, honourable senators, is the proposed legislation our government put forward last May to amend the fraud provisions of the Criminal Code by providing tougher sentences for those who victimize honest citizens.

[Translation]

Bill C-21, the Standing up for Victims of White Collar Crime Act, introduces a mandatory minimum sentence of two years in prison for fraud over \$1 million. It toughens penalties, particularly by adding aggravating factors such as the financial and psychological impact of the fraud on the victim, which courts can take into consideration based on the victim's specific situation, including age, health and financial situation.

[English]

Our government is also working for victims of crime. In 2006, our government launched the Federal Victims Strategy to improve the experience of victims of crime in the criminal justice system. Since then, this government has committed over \$50 million to this strategy.

[Translation]

In 2007, our government created the Office of the Federal Ombudsman for Victims of Crime in order to ensure that the federal government meets its responsibilities to victims of crime.

Furthermore, our government has cracked down on organized crime, including drug-related crime, by toughening penalties.

With the Truth in Sentencing Act, we eliminated the two-for-one credit, which allowed judges to consider the time spent in pre-trial custody during sentencing.

[English]

We have demonstrated our commitment to protecting Canadians from those who commit serious and violent crimes by passing the Tackling Violent Crime Act. These examples are only a few that demonstrate this government's commitment to keeping Canadians safe, and ensuring that victims' voices are heard and their concerns addressed.

Honourable senators, if we do not act now and pass Bill C-59 into law, we will take one huge step back in protecting Canadians and the rights of those who have been victimized.

Honourable senators, abolishing accelerated parole review has been a few years in the making.

[Translation]

In December 2007, the Correctional Service of Canada's Independent Review Panel released its final report with recommendations for the Government of Canada. The panel was assigned the task of completing a review of CSC's operational priorities, strategies and business plans.

[English]

These proposed changes to Bill C-59 will respond to the independent review panel's recommendations to work towards a system of earned parole. The changes also respond to victims' groups concerns.

As I stated earlier, under the current system, first-time offenders convicted of fraud are eligible for day parole at one sixth of their sentence, and for full parole at one third. However, with the removal of accelerated parole review, offenders convicted of these crimes will be eligible only for regular day parole at the earliest, six months prior to their full parole eligibility date.

[Translation]

Accelerated parole review is a paper exercise, using forms, but the regular parole review takes the form of an interview with the offender.

Unless the Parole Board of Canada has reasonable grounds to believe that the offender would commit a violent offence if released, the offender must be allowed back into society.

[English]

An offender convicted of a serious white-collar crime, for example, can be eligible for this type of early release.

As it stands, honourable senators, an offender sentenced to 12 years can be released into the community on day parole in only two years, and fully paroled at only four years.

[ Senator Smith ]

What makes this situation even more difficult is the fact that the Parole Board of Canada must grant parole to an offender who is eligible for accelerated parole review, except for those instances where the Parole Board believes the offender may violently reoffend.

[Translation]

I have no doubt that this does not seem fair to law-abiding Canadians, and I am sure that it does not seem fair to the honourable senators around me.

[English]

Honourable senators, now is the time to send a message to those who commit white-collar crime. These offenders will no longer reap the benefits that are available under current law.

[Translation]

We have made it clear that the government will not put the rights of offenders before the rights of law-abiding citizens.

[English]

Honourable senators, I urge you to support the changes proposed in Bill C-59 and put victims first. Now is our opportunity to work together in the best interests of law-abiding Canadians.

(On motion of Senator Tardif, debate adjourned.)

[Translation]

## CANADA PENSION PLAN

### BILL TO AMEND—SECOND READING— POINT OF ORDER—SPEAKER'S RULING RESERVED

On the Order:

Resuming debate on the motion of the Honourable Senator Callbeck, seconded by the Honourable Senator Poy, for the second reading of Bill S-223, An Act to amend the Canada Pension Plan (retroactivity of retirement and survivor's pensions).

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I would like to raise a point of order related to the inadmissibility of Bill S-223, an Act to amend the Canada Pension Plan (retroactivity of retirement and survivor's pensions), which was introduced by Senator Callbeck.

The merits of the bill notwithstanding, I believe that it contains provisions that would create a new, distinct expenditure, which is not authorized by the current legislation. Consequently, the bill requires a Royal Recommendation. Pursuant to rule 81, it must be removed from the Order Paper.

• (1710)

Page 183 of *Beauchesne's Parliamentary Rules & Forms*, 6th Edition, states that an amendment of a pre-existing program:

. . . infringes the financial initiative of the Crown not only if it increases the amount but also if it extends the objects and purposes, or relaxes the conditions and qualifications. . .

Honourable senators, Bill S-223 will amend the Canada Pension Plan in such a way that people over the age of 70 who apply for a retirement pension will be eligible to receive retroactive benefits for a maximum period of 60 months prior to their 70th birthday and people who apply for a survivor's pension will be eligible to receive retroactive benefits for a period of 60 months.

The current retroactive payment period for the Canada Pension Plan is 12 months for retirement and survivor's pensions.

Bill S-223 will extend the retroactive payment period for these two pensions by 48 months. Thus, it can be said that the bill will relax the plan's conditions.

The Minister of Human Resources and Skills Development estimates that extending the retroactive payment period could result in up to \$251 million in one-time costs for 2011 and tens of millions of dollars in ongoing costs. The bill will thus increase government spending in a way that is not currently authorized under the Canada Pension Plan.

On February 24, 2009, the Speaker of the Senate rendered a decision on Bill S-207, the An Act to amend the Employment Insurance Act (foreign postings). He found, and I quote:

The proposal in Bill S-207 to extend access to a benefit enlarges the scheme of entitlements in the Employment Insurance Act, and, consequently, it requires a Royal Recommendation.

On May 8, 2008, the Speaker of the other place ruled on the issue of retroactive payments of benefits. With respect to Bill C-490, An Act to amend the Old Age Security Act, he said:

[The] clauses . . . of the bill seek to alter the conditions and manner in which compensation is awarded to old age security recipients by . . . modifying retroactive payments. . . .

. . . Bill C-490 alters the original purposes of the benefits and therefore the bill does require a royal recommendation.

On February 13, 1992, the Speaker of the Senate ruled on Bill C-280, An Act to amend the Canada Pension Plan Act (disability pension). He said:

The bill modifies the present eligibility or qualification criteria that require a disabled CPP contributor to meet minimum contributory requirements.

. . . I must, for procedural reasons, rule it inadmissible in this House.

Some senators may perhaps say that the Canada Pension Plan is administered using separate accounts and that, consequently, the bill does not require a Royal Recommendation.

However, section 108 of the Canada Pension Plan specifically states that all transactions under the plan shall be paid into the Consolidated Revenue Fund and credited to the Canada Pension Plan Account, or paid out of the Consolidated Revenue Fund and charged to the Canada Pension Plan Account.

Therefore, all funds pertaining to the plan are placed within the Consolidated Revenue Fund. The Speaker also acknowledged this point in his ruling of February 13, 1992. Pursuant to the ruling of February 13, 1992 and the other precedents I have quoted, Bill S-223 would result in new government expenditures that have not already been authorized by the Canada Pension Plan and must be accompanied by a Royal Recommendation.

Therefore, the bill must be deemed inadmissible.

[English]

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, I believe there is no valid point of order before us. Senator Callbeck has done her research, has sought legal opinions and has brought to our attention a strong case against the need for a Royal Recommendation on Bill S-223.

[Translation]

Honourable senators, rule 81 states:

The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative.

Over the years, Canadian retirees have actively contributed to the Canada Pension Plan. The money in the plan belongs to the retirees of this country. These are not new funds because they are already in the CPP.

Therefore, Bill S-223 does not give rise to any new allocation of public money.

In addition, Senate precedents support Senator Callbeck's arguments.

[English]

In 1997, Speaker Molgat stated in the following ruling on the admissibility of Bill S-12:

. . . it is not certain whether these anticipated operations would be funded by a new appropriation which would require a royal recommendation or by existing allocations established through previous legislation. Nor is there any language in the bill that effectively imposes any perceived appropriation. Yet these are the conditions to be satisfied when considering whether a royal recommendation should be attached to the bill.

Furthermore, Speaker Molgat ruled in 1998:

... that matters are presented to be in order, except when the contrary is clearly established to be the case. This presumption suggests to me that the best policy for a Speaker is to interpret the rules in favour of debate by Senators, except where a matter to be debated is clearly out of order.

Honourable senators, I believe that Canadian retirees have the right to their money. Senator Callbeck's bill simply extends current retroactivity limits for eligible Canadians from 12 months to 5 years for CPP retirement benefits for those over the age of 70 years and for survivor's pensions.

Again, let me reiterate that this bill does not appropriate new public money, as the people concerned by these changes are already eligible to receive these benefits.

I ask His Honour to consider these arguments and find there is no valid point of order and that debate on Bill S-223 should continue so that we, as senators, can further study this bill and its implications for Canadians.

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

**Hon. Catherine S. Callbeck:** Honourable senators, I am pleased to take part in this debate, and I agree that it does not need a Royal Recommendation. I have had a legal opinion on it, and I tabled the letter from Heenan Blaikie, which sets it out clearly. They say the following:

The draft bill is not a "money bill" for the purposes of sections 53 and 54 of the *Constitution Act, 1867*, and may be initiated and considered in the Senate without a royal recommendation

Furthermore, under a section entitled Money Bill, it says:

As explained in the Summary to the draft bill, the purpose of the proposed amendments is to extend the payable period for retirement pensions and survivor's pensions. The funds that are the subject of the proposed amendments are not funds which form part of the Consolidated Revenue Fund and the proposed amendments do not seek, directly or indirectly, to impose taxes or appropriate funds. In our opinion, the draft bill does not require a royal recommendation and sections 53 and 54 of the *Constitution Act, 1867* do not impair the power of a Senator to introduce the bill to the Senate or the power of the Senate to deal with it.

• (1720)

It is clear from the legal opinion that I received that this piece of legislation does not need a Royal Recommendation.

**The Hon. the Speaker *pro tempore*:** Are there further honourable senators wishing to participate in the debate on this point of order?

[ Senator Tardif ]

**Senator Comeau:** I think both speakers were very careful; they skirted the issue closely but kept some distance away from the substance of the bill. I think I had indicated at the beginning of my comments that I was not commenting on the substance or the desirability of the bill. That is a whole different issue.

I was referring to the procedure, the rules under which we operate in this chamber, and that when a bill that is before us will require \$250 million to implement and tens of millions of dollars every year to implement, there obviously is a need to seek some kind of Royal Recommendation on it.

If individual senators can bring bills to the floor of the Senate that require the spending of such vast amounts of money, the Canadian taxpayer would become very nervous, and rightly so. That is why we have rules whereby governments require and need to seek Royal Recommendations on those kinds of massive spending bills. Regardless of how great a bill may be, those are the rules under which we function.

I was not quite sure; I probably should have been listening more closely to who the legal advice was from.

**Senator Day:** Heenan Blaikie.

**Senator Comeau:** On such procedural matters, in the Senate we generally go to a different group to seek legal advice on our rules and procedures, rather than to outside law firms. Generally, we go to rules that are more well-known by the senators, by the parliamentarians themselves. One can always seek legal advice outside the chamber, of course, for such things, but we should stay with the authorities in such jurisprudence that we generally rely on.

I think my point of order stands. Again, without touching on the value of what is proposed by the bill, we should stay with our rules and procedures.

**Senator Callbeck:** I would just like to add, again, that the money for this measure is not coming from the Consolidated Revenue Fund. The Finance Committee, I believe it was two years ago, had a meeting especially on this subject, and the Chief Actuary was there. I want to read what the Chief Actuary said. He was explaining that this proposal already accounts for the people who are eligible and deemed alive and living in Canada. He said that these people are presumed to have applied in the three-year actuarial reports. The assumption was made in the actuarial report that it would apply so the cost is already included. He said that on December 4, 2007.

As I say, there is no money coming out of the Consolidated Revenue Fund. The CPP is a fund that is set aside and the money is already there, according to the Chief Actuary.

**The Hon. the Speaker *pro tempore*:** There being no further senators wishing to participate in debate, the chair will take the matter under advisement and the Speaker will give a ruling at a later date.

## CANADA POST CORPORATION ACT

## BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Peterson, seconded by the Honourable Senator Lovelace Nicholas, for the second reading of Bill S-219, An Act to amend the Canada Post Corporation Act (rural postal services and the Canada Post Ombudsman).

**Hon. Michael L. MacDonald:** Honourable senators, I am pleased to address Bill S-219, An Act to amend the Canada Post Corporation Act (rural postal services and the Canada Post Ombudsmen) introduced here on June 1, 2010.

The bill proposes to amend the Canada Post Corporation Act by introducing provisions to: resume rural delivery to every rural roadside mailbox that was serviced on September 1, 2005, except where the Corporation is of the opinion that doing so would pose an undue risk that could not be reasonably dealt with by relocating the mailbox or other measures at the Corporation's expense; require Canada Post to give six months written notice to customers of a change in rural mail delivery or other rural postal service; establish an ombudsman, as a Governor-in-Council appointment, with the power to request changes to policies and practices of the Corporation; and require the minister to undertake a review of the operation of these amendments every five years.

At the outset, I confess that this bill somewhat confuses me. When I first read it through, it struck me how similar the proposed amendments to the Canada Post Corporation Act are to actions already undertaken either by this government or by Canada Post.

For example, almost four years ago this government directed Canada Post to maintain roadside delivery to rural mailboxes that were serviced on September 1, 2005, while respecting all applicable laws.

Canada Post has been diligent in its response to the government's rural directive and in its efforts to meet its legal obligations for employee safety, as well as to address public concern about maintaining rural mailbox delivery. Since the directive, Canada Post has been busy assessing the safety of all rural mailboxes, of which there are some 843,000. While that is a large number of mailboxes, I should note that it makes up only 6 per cent of all addresses served by Canada Post across Canada.

As Canada's population grows and its cities expand, there are cases where once rural byways are becoming well-travelled highways. This has been making it difficult for rural carriers to exit and re-enter traffic lanes safely to deliver the mail. Some of these situations have involved vehicles coming around a curve and not having the time or room to avoid a stopped carrier vehicle. Unfortunately, in the last few years there have been numerous traffic accidents involving rural carriers. More regrettably, three rural carriers have been killed while delivering the mail.

To this point, Canada Post has assessed more than half the rural mailboxes using a traffic safety assessment tool developed with the help of third-party experts. Delivery to 89 per cent of the mailboxes that have been assessed has been maintained at the end of the laneway.

In the exceptional cases where delivery has been found to be unsafe, Canadians have worked with Canada Post to keep their local mail carrier from danger by moving a mailbox to a safer location, usually a few feet down the road or across the street.

It is only when a safe nearby location cannot be found that alternatives such as delivery to a community mailbox or to a post office box are considered.

Canada Post has been actively consulting with the communities affected, and many of us in this room have taken advantage of Canada Post's offer to do a ride-along to better understand the dangers and what Canada Post is doing to address them. I would encourage all senators to go and see the good work that Canada Post is doing.

Even though the opposition seems to have come to realize the importance of maintaining and assessing delivery to rural mailboxes, the bill before us would seem to indicate that they have come to that realization somewhat late in the game. Nonetheless, I am encouraged that there is general agreement on both sides that the rigorous assessment of rural mailboxes that is currently well under way is an important task.

However, the bill before us does not seem to recognize the legal responsibility that Canada Post has as an employer to ensure the safety of its employees in accordance with the Canada Labour Code and the Criminal Code. Similar to the 2006 rural directive, this bill proposes that Canada Post resume delivery to all rural mailboxes in service on September 1, 2005.

Where the bill differs from the rural directive is that it overlooks existing legislation such as the Canada Labour Code and leaves it up to Canada Post to determine if there is an undue risk to the resumption of such delivery. This creates a potential risk that Canada Post would be subject to a lesser obligation with the language "undue risk" versus the Canada Labour Code definition of "danger."

Such ambiguity may create uncertainty in interpretation and perhaps an uncertainty as to how to proceed in the case of a dangerous situation for employees.

Which legislation would be given precedence, an amended Canada Post Corporation Act as proposed by Bill S-219 or the Criminal Code and the Canada Labour Code? Although this is a question best left to lawyers to determine, without a doubt we should not be putting into force amendments to legislation that does not take into account such important pre-existing legislation.

• (1730)

The first provision also places the onus on Canada Post for assuming the cost of moving rural mailboxes in the exceptional circumstances where such a movement is required. As it now stands, residents own their own mailboxes. Such a change could make Canada Post vulnerable to liability in the event of injury during the movement. Also, there would be unwelcome financial implications for Canada Post for the relocation of unsafe mailboxes at a time when Canada Post is barely making a profit, despite significant cuts — including to its management ranks — in recent years. I must ask myself if residents who have

already spent their own money to move their mailboxes would seek retroactive compensation from Canada Post. If so, imagine how this would play out and how time-consuming and expensive this would be for Canada Post.

The second provision proposed by Bill S-219 is that Canada Post provide six months' written notice to customers of a change in rural mail delivery or other rural postal service. The Canadian Post Service Charter announced by this government scarcely more than a year ago, in September 2009, already requires a 30-day consultation period. Would such an extended consultation period lead to better service? I do not know why anyone would think it would. I can tell honourable senators that a consultation period extended from one month to six months is likely to constrain Canada Post's operational flexibility to respond quickly to unforeseen circumstances affecting infrastructure, such as a fire at a post office, or affecting its personnel, such as the unforeseen retirement of a post master. What if there is a new directive from a health and safety officer? Canada Post, like other employers under federal jurisdiction, must comply immediately.

On the subject of the Canadian Postal Service Charter, I would emphasize that this is another important initiative of the government. This government supports Canada Post and has committed to all Canadians, both rural and urban, to continue to have a universal, effective and economically viable postal service. That is why, in April 2008, the government established an independent review panel to examine Canada Post and its ability to continue to deliver on its legislated mandate, which is to provide universal service across Canada in a financially self-sustaining manner.

This is also why the government acted quickly, after receiving the advice of that independent review panel, to take the necessary action to ensure that Canada Post could continue to deliver on its mandate.

In September of last year, the government introduced the Canadian Postal Service Charter outlining our expectations for this Crown corporation. Canada Post will provide postal services that Canadians can count on. It will maintain rural postal services and it will protect Canadians' mail.

This is the first time that the expectations of Canadians for Canada Post have been clearly established by the federal government. This government has stated clearly in the Service Charter that it believes that postal services to rural regions are an integral part of Canada Post's universal service. The Service Charter specifically requires community outreach and consultation when Canada Post is forced to change delivery, such as permanently closing or moving corporate post offices. This provides both the corporation and the community an opportunity to work together to explore the available options to meet the community's postal needs and find the appropriate solution.

Over the course of the recent review of Canada Post and following the release of the report of the independent panel, the government received significant feedback from rural residents, local councils and rural interest groups on the importance of the postal system for rural communities. The Service Charter responds to this feedback and addresses the concerns of rural

Canadians by ensuring a universal postal service. Unlike the intent of this bill, which seems to unduly favour certain Canadian regions over others, our expectation of service is a national one, not one affected by region or proximity, but rather one that ensures that everyone everywhere has access to the same services.

The third proposed provision of Bill S-219 is that a Canada Post Corporation ombudsman be established as a Governor-in-Council appointment with the power to request changes to policies and practices of the corporation. As most honourable senators are already aware, Canada Post already has an ombudsman. In fact, Canada Post's ombudsman was awarded one of the prestigious Canada Awards for Excellence by the National Quality Institute on September 13, 2010. The ombudsman's office, led by Nicole Goodfellow, won the Gold Trophy for quality in the Public Sector - Small Organizations category. The Canada Awards for Excellence is an annual awards program to recognize business excellence in quality, customer service and a healthy workplace.

Canada Post has had an ombudsman in place since 1997. The ombudsman works independently of Canada Post staff and management, and reports directly to the corporation's board of directors. Over the past few years, for example, the ombudsman has dealt with over 7,000 complaints a year. Although the number of complaints sounds large, Canada Post receives very few complaints relative to the millions of customers it serves each and every day.

The bill calls for a Governor-in-Council appointed ombudsman who would be part of the public service and who would have the power to change Canada Post's administrative policies. Such a change would increase the perception of government control and conflict with the accountability role that has, in the Canadian tradition, been conferred on the Crown corporation's board of directors. It is the fiduciary duty of the board of directors to oversee the management of the corporation and to act in the best interests of the corporation. The appointment of an ombudsman with the power to change administration policies could diminish the board's ability to fulfill its duty.

The last proposed provision of Bill S-219 requires the minister responsible to Parliament for Canada Post to undertake a review of operation of the proposed amendments every five years. This provision is very similar to the requirement of the Service Charter that the government review the Canadian Postal Service Charter every five years after its adoption to assess the need to adapt the charter to changing requirements. Since the Service Charter was informed and developed following the independent strategic review of Canada Post in 2008, it is much more comprehensive in the expectations the government places on Canada Post than is the bill before us now.

It should be obvious from the actions that have been taken over the past few years that the government and Canada Post are keenly aware of the concerns of rural Canadians and the importance of providing reliable postal services to them.

As is stated in the preamble of the Service Charter, the Government of Canada is committed to ensuring transparency in how Canada Post provides quality postal services to all Canadians, rural and urban, individuals and businesses, in a secure and financially self-sustaining manner.



Since virtually all of the measures called for in Bill S-219 have already been taken by the government or the Canada Post Corporation, and since the provisions proposed by the bill may even conflict with existing law and compromise rural postal delivery, this bill should not be supported.

Thank you for giving me the opportunity to clarify the government's position on this bill.

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

**Some Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

#### REFERRED TO COMMITTEE

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

(On motion of Senator Comeau, bill referred to Standing Senate Committee on Transport and Communications.)

[Translation]

#### CRIMINAL CODE

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

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Tardif, for the second reading of Bill S-204, An Act to amend the Criminal Code (protection of children).

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I realize that this bill has been on the Order Paper for 14 days; however, I am still preparing my comments. I therefore move the adjournment.

(On motion of Senator Comeau, debate adjourned.)

• (1740)

[English]

#### GOVERNMENT PROMISES

##### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cowan calling the attention of the Senate to the litany of broken promises by the Harper administration,

beginning with the broken promise on income trusts, which devastated the retirement savings of so many Canadian seniors.

**Hon. Nicole Eaton:** Honourable senators, Senator Cordy has agreed that I speak today and adjourn the debate in her name.

Honourable senators, I rise today to speak to Senator Cowan's inquiry. Where to start with this? To begin with, as noted by Senator Finley, the hypocrisy contained in the very notion of this inquiry is laughable. Following a decade plagued by numerous scandals, flat out lies and broken promises to Canadians, it seems the Liberal Party has become increasingly whiny after five years out of power.

The egos of the self-prescribed natural governing party of Canada are apparently badly bruised. This inquiry brings to mind a spoiled brat, throwing a temper tantrum after losing his favourite toy. In this case, the toy is power, and the brat is the Liberal Party.

Rather than take a hard look in the mirror to see why the Liberal Party is in such shambles and disarray, they resort to cheap attacks in the Senate chamber. It is ironic that a party that has resisted all efforts to reform the Senate is doing the most damage to its reputation. Our mandate in the chamber is to study proposed legislation and issues affecting Canadians, not to launch blatant political attacks under the guise of Senate business.

While it might be convenient to blame Prime Minister Harper for all their problems, this will not provide any answers to their lack of solid policy positions, weak leadership and pathetic fundraising. Perhaps the years of abused power have led to the Liberals losing touch with the average, hard-working Canadians who became sick of the scandals and tired of the wishy-washy messages and arrogance. Honourable senators, this government made a promise to protect and strengthen Canada's economy. This government committed itself to this promise and that is what we have done.

Honourable senators, regardless of the holes that colleagues opposite would like to try to poke through it, Canada's Economic Action Plan supported the country and its citizens throughout the global recession. It has succeeded in building solid stepping stones for economic recovery, progress and growth. Due to this plan and our government's strong financial management, Canada is recognized as an international role model in fiscal management. Look no further than the Certified General Accountants Association of Canada who noted that the economic action plan "provides the necessary support for economic stimulus and job creation."

Note that the International Monetary Fund highlighted Canada as having the strongest fiscal position in the G7.

I could spend all day talking about the successes of the economic action plan; however, due to time constraints, this is not possible. Thus, let me address the extraordinary job done by our government to take action immediately and decisively to protect jobs and to help those Canadians hardest hit by the global recession.

Canada's Economic Action Plan directly assisted and helped the unemployed through various methods, one of those being changes to Employment Insurance. However, let me reminisce about the dark days of EI under the previous Liberal government. It is well known that Liberals used EI premiums paid by workers and businesses as a political slush fund. They raided and completely decimated the EI account of nearly \$60 billion without blinking an eye. Professor Thomas Courchene of Queen's University wrote about the Liberals in the April 2010 edition of *Policy Options*:

... siphoned off somewhere in the neighbourhood of \$5 to \$6 billion annually from the EI surplus ... the cumulative EI surplus that the Liberals brought into the consolidated revenue fund (CRF) reached a staggering \$60 billion.

The Canadian Federation of Independent Business declared in 2000 that they were tired of the EI fund being the slush fund for other initiatives.

It was a Conservative provincial government, one in which Senator Runciman was a part, that drew everyone's attention to the fact that the Liberals had gutted the EI account to play voodoo accounting, making it appear as though they had balanced the books.

Honourable senators, the Liberals emptied this fund and balanced the books on the backs of Canadian workers and the provinces. It took a Conservative government to remove political interference from the Employment Insurance Act, thus ensuring that future governments can never do this again. What a noble concept.

Regardless of the past misdeeds perpetrated by the Liberal Party, perhaps we should look at the promise kept by this government to protect the economy and those hardest hit by the global downturn. As mentioned numerous times, our government's number one priority is and will continue to be the economy. Unlike honourable senators across the way, when something needs doing, we address the situation swiftly and unwaveringly. Unfortunately, the Liberals do not feel the same way about the likes of such examples as the dire need for new fighter jets. However, this is perhaps on a par with the decade of darkness experienced by the military during the Liberals' last time in power. Sea Kings, anyone? I digress.

All in all, the first phase of Canada's Economic Action Plan included \$8.3 billion over two years to support job creation and protect and assist the unemployed. Due to the strong leadership of Prime Minister Harper, this quick decision and action has allowed Canada's economy to recover virtually all of the jobs that were lost during this tumultuous time. My point is that when strong action on the economy was needed, it was provided by our government. This government provided an extra five weeks of EI benefit to more than one million EI claimants. This government provided 164,000 long-tenured workers with up to 20 weeks of additional benefits. Furthermore, more than 14,000 of these unemployed workers received additional assistance and long-term training through the Career Training Assistance Program. This government provided EI training opportunities for all Canadian workers, including additional support to the provinces and territories to expand training in skills development and support for over 200,000 Canadians annually moving into the knowledge-

based economy. Even those who did not qualify for EI benefits were assisted by the Strategic Training and Transition Fund for skills enhancement and training. This government provided funding for youth internships, which help in gaining work experience and necessary skills. This government offered more opportunities to Aboriginal Canadians by providing \$80 million over two years in additional funding for the Aboriginal Skills and Employment Partnership, and \$75 million over two years for the Aboriginal Skills and Training Strategic Investment Fund.

This government extended the duration of work-sharing agreements by 14 weeks to a maximum of 52 weeks and increased access to work-sharing agreements through greater flexibility in the qualifying criteria. This initiative assisted over 35,000 Canadians just this past December.

• (1750)

It was this government that provided \$40 million in new funding for an initiative for older workers, enabling more than 9,900 unemployed older workers to receive the specialized support they need to transition to new jobs. It was this government that made a commitment to encourage skilled trades and apprenticeships by investing \$80 million in the new Apprenticeship Completion Grant. It assisted over 38,000 new Canadians.

These accomplishments clearly show that our government has fulfilled its promise to assist the unemployed and to protect Canada's economy. I am proud to be part of a government that realizes that the workforce has evolved from the one that most of us experienced, and that is most assuredly completely different from the workforce of our parents. Today, Canada boasts a much different workforce. It is more educated, skilled, sophisticated and demanding not only of their employer but also of their government. We have done all that is possible to ease this transition.

Canada's Economic Action Plan has been successful in creating over 460,000 jobs since July 2009, with close to 85 per cent of those jobs full-time, and almost 90 per cent of them high-quality jobs in high-wage industries. Furthermore, our economy has grown for the past five quarters. However, this recovery remains fragile and we are committed to further implementing our job creating, low-tax plan for the benefit of all Canadians.

This growth is one more proof that Canada's Economic Action Plan is working and working well, apparently something the Liberal Party has had a hard time accepting. Their denial has led to this cheap-shot inquiry. However, their childish antics are hardly significant.

What is significant and encouraging is seeing Canada's economy on the right track and I cannot help but praise the current government for that feat.

Honourable senators, the Conservative government under Prime Minister Harper has kept its promise to Canadians to keep the economy strong and the jobs available. It is an honour to rise today to shine light on that major accomplishment.

**The Hon. the Speaker:** Is it agreed, honourable senators, that this item remain standing in the name of the Honourable Senator Cordy?

(On motion of Senator Cordy, debate adjourned.)

## KEEPING CANADIANS SAFE BILL

### SIXTH REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE PRESENTED

Leave having been given to revert to Presentation of Reports from Standing or Special Committees:

**Hon. Pamela Wallin**, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Tuesday, March 1, 2011

The Standing Senate Committee on National Security and Defence has the honour to present its

### SIXTH REPORT

Your Committee, to which was referred Bill S-13, An Act to implement the Framework Agreement on Integrated Cross-Border Maritime Law Enforcement Operations between the Government of Canada and the Government of the United States of America, has, in obedience to its order of reference of Wednesday, December 15, 2010, examined the said Bill and now reports the same with the following amendments:

1. *Clause 17, page 8:* Replace line 15 with the following:

“45.88 who was appointed as a cross-border maritime law enforcement officer under subsection 8(1) of the *Keeping Canadians Safe (Protecting Borders) Act*.”.

2. *Clause 22:*

(a) *Page 12:*

(i) Add after line 22 the following:

“(10) If a complaint concerns the conduct of a designated officer, the Commission may conduct an investigation, review or hearing of that complaint jointly with an authority that is responsible for investigations, reviews or hearings with respect to complaints from the public against law enforcement officers in any relevant jurisdiction, whether in or outside Canada.

(11) The Minister may make regulations respecting investigations, reviews or hearings conducted jointly under subsection (10).”, and

(ii) Replace lines 23 and 24 with the following:

“**45.9** Sections 45.52 to 45.56, 45.63 to 45.67, 45.71, 45.72 and 45.74 to 45.76 apply in respect of a”;

(b) *Page 19:*

(i) Add after line 32 the following:

“(10) If a complaint concerns the conduct of a designated officer, the Commission may conduct an investigation, review or hearing of that complaint jointly with an authority that is responsible for investigations, reviews or hearings with respect to complaints from the public against law enforcement officers in any relevant jurisdiction, whether in or outside Canada.

(11) The Minister may make regulations respecting investigations, reviews or hearings conducted jointly under subsection (10).”, and

(ii) Replace lines 33 and 34 with the following:

“**45.9** Sections 45.52 to 45.56, 45.63 to 45.67, 45.71, 45.72 and 45.74 to 45.76 apply in respect of a”;

(c) *Page 24:* Replace line 26 with the following:

“45.88 who was appointed as a cross-border maritime law enforcement officer under subsection 8(1) of the *Keeping Canadians Safe (Protecting Borders) Act*.”;

(d) *Page 25:* Replace with line 28 with the following:

“45.88 who was appointed as a cross-border maritime law enforcement officer under subsection 8(1) of the *Keeping Canadians Safe (Protecting Borders) Act*.”.

3. *Clause 23, page 27:* Replace line 30 with the following:

“45.88 who was appointed as a cross-border maritime law enforcement officer under subsection 8(1) of the *Keeping Canadians Safe (Protecting Borders) Act*.”.

Respectfully submitted,

PAMELA WALLIN  
*Chair*

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

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

(The Senate adjourned until Wednesday, March 2, 2011, at 1:30 p.m.)



## **APPENDIX**

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

**THE SPEAKER**

The Honourable Noël A. Kinsella

**THE LEADER OF THE GOVERNMENT**

The Honourable Marjory LeBreton, P.C.

**THE LEADER OF THE OPPOSITION**

The Honourable James S. Cowan

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

Gary W. O'Brien

**LAW CLERK AND PARLIAMENTARY COUNSEL**

Mark Audcent

**USHER OF THE BLACK ROD**

Kevin MacLeod

## THE MINISTRY

(In order of precedence)

(March 1, 2011)

|                                      |  |
|--------------------------------------|--|
| The Right Hon. Stephen Joseph Harper | Prime Minister   |
| The Hon. Robert Douglas Nicholson    | Minister of Justice and Attorney General of Canada   |
| The Hon. Jean-Pierre Blackburn       | Minister of Veterans Affairs and Minister of State (Agriculture)   |
| The Hon. Marjory LeBreton            | Leader of the Government in the Senate   |
| The Hon. Chuck Strahl                | Minister of Transport, Infrastructure and Communities  |
| The Hon. Peter Gordon MacKay         | Minister of National Defence   |
| The Hon. Stockwell Day               | President of the Treasury Board and Minister for the Asia-Pacific Gateway  |
| The Hon. Vic Toews                   | Minister of Public Safety  |
| The Hon. Rona Ambrose                | Minister of Public Works and Government Services and Minister of State (Status of Women)   |
| The Hon. Diane Finley                | Minister of Human Resources and Skills Development   |
| The Hon. Beverley J. Oda             | Minister for International Cooperation   |
| The Hon. John Baird                  | Leader of the Government in the House of Commons   |
| The Hon. Lawrence Cannon             | Minister of Foreign Affairs and Minister of State  |
| The Hon. Tony Clement                | Minister of Industry   |
| The Hon. James Michael Flaherty      | Minister of Finance  |
| The Hon. Josée Verner                | President of the Queen's Privy Council, Minister of Intergovernmental Affairs and Minister for La Francophonie   |
| The Hon. Peter Van Loan              | Minister of International Trade  |
| The Hon. Gerry Ritz                  | Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board  |
| The Hon. Jason Kenney                | Minister of Citizenship, Immigration and Multiculturalism  |
| The Hon. Christian Paradis           | Minister of Natural Resources  |
| The Hon. James Moore                 | Minister for Official Languages and Minister of Canadian Heritage  |
| The Hon. Leona Aglukkaq              | Minister of Health   |
| The Hon. Lisa Raitt                  | Minister of Labour   |
| The Hon. Gail A. Shea                | Minister of Fisheries and Oceans   |
| The Hon. Keith Ashfield              | Minister of National Revenue, Minister of the Atlantic Canada Opportunities Agency and Minister for the Atlantic Gateway   |
| The Hon. Peter Kent                  | Minister of the Environment  |
| The Hon. John Duncan                 | Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency |
| The Hon. Gary Lunn                   | Minister of State (Sport)  |
| The Hon. Gordon O'Connor             | Minister of State and Chief Government Whip  |
| The Hon. Diane Ablonczy              | Minister of State of Foreign Affairs (Americas and Consular Affairs)   |
| The Hon. Rob Merrifield              | Minister of State (Transport)  |
| The Hon. Lynne Yelich                | Minister of State (Western Economic Diversification)   |
| The Hon. Steven John Fletcher        | Minister of State (Democratic Reform)  |
| The Hon. Gary Goodyear               | Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario)  |
| The Hon. Denis Lebel                 | Minister of State (Economic Development Agency of Canada for the Regions of Quebec)  |
| The Hon. Rob Moore                   | Minister of State (Small Business and Tourism)   |
| The Hon. Ted Menzies                 | Minister of State (Finance)  |
| The Hon. Julian Fantino              | Minister of State (Seniors)  |

## SENATORS OF CANADA

### ACCORDING TO SENIORITY

(March 1, 2011)

| Senator                          | Designation                        | Post Office Address        |
|----------------------------------|------------------------------------|----------------------------|
| THE HONOURABLE                   |                                    |                            |
| Lowell Murray, P.C.              | Pakenham                           | Ottawa, Ont.               |
| Anne C. Cools                    | Toronto Centre-York                | Toronto, Ont.              |
| Charlie Watt                     | Inkerman                           | Kuuujuaq, Que.             |
| Joyce Fairbairn, P.C.            | Lethbridge                         | Lethbridge, Alta.          |
| Colin Kenny                      | Rideau                             | Ottawa, Ont.               |
| Pierre De Bané, P.C.             | De la Vallière                     | Montreal, Que.             |
| Ethel Cochrane                   | Newfoundland and Labrador          | Port-au-Port, Nfld. & Lab. |
| Gerald J. Comeau                 | Nova Scotia                        | Saulnierville, N.S.        |
| Consiglio Di Nino                | Ontario                            | Downsview, Ont.            |
| Donald H. Oliver                 | South Shore                        | Halifax, N.S.              |
| Noël A. Kinsella, <i>Speaker</i> | Fredericton-York-Sunbury           | Fredericton, N.B.          |
| Michael Arthur Meighen           | St. Marys                          | Toronto, Ont.              |
| Janis G. Johnson                 | Manitoba                           | Gimli, Man.                |
| A. Raynell Andreychuk            | Saskatchewan                       | Regina, Sask.              |
| Jean-Claude Rivest               | Stadacona                          | Quebec, Que.               |
| Terrance R. Stratton             | Red River                          | St. Norbert, Man.          |
| David Tkachuk                    | Saskatchewan                       | Saskatoon, Sask.           |
| W. David Angus                   | Alma                               | Montreal, Que.             |
| Pierre Claude Nolin              | De Salaberry                       | Quebec, Que.               |
| Marjory LeBreton, P.C.           | Ontario                            | Manotick, Ont.             |
| Gerry St. Germain, P.C.          | Langley-Pemberton-Whistler         | Maple Ridge, B.C.          |
| Sharon Carstairs, P.C.           | Manitoba                           | Winnipeg, Man.             |
| Rose-Marie Losier-Cool           | Tracadie                           | Tracadie-Sheila, N.B.      |
| Céline Hervieux-Payette, P.C.    | Bedford                            | Montreal, Que.             |
| William H. Rompkey, P.C.         | Newfoundland and Labrador          | St. John's, Nfld. & Lab.   |
| Marie-P. Poulin                  | Nord de l'Ontario/Northern Ontario | Ottawa, Ont.               |
| Wilfred P. Moore                 | Stanhope St./South Shore           | Chester, N.S.              |
| Lucie Pépin                      | Shawinigan                         | Montreal, Que.             |
| Fernand Robichaud, P.C.          | New Brunswick                      | Saint-Louis-de-Kent, N.B.  |
| Catherine S. Callbeck            | Prince Edward Island               | Central Bedeque, P.E.I.    |
| Serge Joyal, P.C.                | Kennebec                           | Montreal, Que.             |
| Francis William Mahovlich        | Toronto                            | Toronto, Ont.              |
| Joan Thorne Fraser               | De Lorimier                        | Montreal, Que.             |
| Vivienne Poy                     | Toronto                            | Toronto, Ont.              |
| George Furey                     | Newfoundland and Labrador          | St. John's, Nfld. & Lab.   |
| Nick G. Sibbeston                | Northwest Territories              | Fort Simpson, N.W.T.       |
| Tommy Banks                      | Alberta                            | Edmonton, Alta.            |
| Jane Cordy                       | Nova Scotia                        | Dartmouth, N.S.            |
| Elizabeth M. Hubley              | Prince Edward Island               | Kensington, P.E.I.         |
| Mobina S. B. Jaffer              | British Columbia                   | North Vancouver, B.C.      |
| Joseph A. Day                    | Saint John-Kennebecasis            | Hampton, N.B.              |
| George S. Baker, P.C.            | Newfoundland and Labrador          | Gander, Nfld. & Lab.       |
| Raymond Lavigne                  | Montarville                        | Verdun, Que.               |
| David P. Smith, P.C.             | Cobourg                            | Toronto, Ont.              |
| Maria Chaput                     | Manitoba                           | Sainte-Anne, Man.          |
| Pana Merchant                    | Saskatchewan                       | Regina, Sask.              |
| Pierrette Ringuette              | New Brunswick                      | Edmundston, N.B.           |
| Percy E. Downe                   | Charlottetown                      | Charlottetown, P.E.I.      |



| Senator                    | Designation                               | Post Office Address         |
|----------------------------|---|-----------------------------|
| Paul J. Massicotte         | De Lanaudière                             | Mont-Saint-Hilaire, Que.    |
| Mac Harb                   | Ontario                                   | Ottawa, Ont.                |
| Terry M. Mercer            | Northend Halifax                          | Caribou River, N.S.         |
| Jim Munson                 | Ottawa/Rideau Canal                       | Ottawa, Ont.                |
| Claudette Tardif           | Alberta                                   | Edmonton, Alta.             |
| Grant Mitchell             | Alberta                                   | Edmonton, Alta.             |
| Elaine McCoy               | Alberta                                   | Calgary, Alta.              |
| Robert W. Peterson         | Saskatchewan                              | Regina, Sask.               |
| Lillian Eva Dyck           | Saskatchewan                              | Saskatoon, Sask.            |
| Art Eggleton, P.C.         | Ontario                                   | Toronto, Ont.               |
| Nancy Ruth                 | Cluny                                     | Toronto, Ont.               |
| Roméo Antonius Dallaire    | Gulf                                      | Sainte-Foy, Que.            |
| James S. Cowan             | Nova Scotia                               | Halifax, N.S.               |
| Andrée Champagne, P.C.     | Grandville                                | Saint-Hyacinthe, Que.       |
| Hugh Segal                 | Kingston-Frontenac-Leeds                  | Kingston, Ont.              |
| Larry W. Campbell          | British Columbia                          | Vancouver, B.C.             |
| Rod A. A. Zimmer           | Manitoba                                  | Winnipeg, Man.              |
| Dennis Dawson              | Lauzon                                    | Sainte-Foy, Que.            |
| Francis Fox, P.C.          | Victoria                                  | Montreal, Que.              |
| Sandra Lovelace Nicholas   | New Brunswick                             | Tobique First Nations, N.B. |
| Bert Brown                 | Alberta                                   | Kathyrn, Alta.              |
| Fabian Manning             | Newfoundland and Labrador                 | St. Bride's, Nfld. & Lab.   |
| Fred J. Dickson            | Nova Scotia                               | Halifax, N.S.               |
| Stephen Greene             | Halifax-The Citadel                       | Halifax, N.S.               |
| Michael L. MacDonald       | Cape Breton                               | Dartmouth, N.S.             |
| Michael Duffy              | Prince Edward Island                      | Cavendish, P.E.I.           |
| Percy Mockler              | New Brunswick                             | St. Leonard, N.B.           |
| John D. Wallace            | New Brunswick                             | Rothsay, N.B.               |
| Michel Rivard              | The Laurentides                           | Quebec, Que.                |
| Nicole Eaton               | Ontario                                   | Caledon, Ont.               |
| Irving Gerstein            | Ontario                                   | Toronto, Ont.               |
| Pamela Wallin              | Saskatchewan                              | Kuroki Beach, Sask.         |
| Nancy Greene Raine         | Thompson-Okanagan-Kootenay                | Sun Peaks, B.C.             |
| Yonah Martin               | British Columbia                          | Vancouver, B.C.             |
| Richard Neufeld            | British Columbia                          | Fort St. John, B.C.         |
| Daniel Lang                | Yukon                                     | Whitehorse, Yukon           |
| Patrick Brazeau            | Repentigny                                | Gatineau, Que.              |
| Leo Housakos               | Wellington                                | Laval, Que.                 |
| Suzanne Fortin-Duplessis   | Rougemont                                 | Quebec, Que.c               |
| Donald Neil Plett          | Landmark                                  | Landmark, Man.              |
| Michael Douglas Finley     | Ontario—South Coast                       | Simcoe, Ont.                |
| Linda Frum                 | Ontario                                   | Toronto, Ont.               |
| Claude Carignan            | Mille Isles                               | Saint-Eustache, Que.        |
| Jacques Demers             | Rigaud                                    | Hudson, Que.                |
| Judith G. Seidman (Ripley) | De la Durantaye                           | Saint-Raphaël, Que.         |
| Carolyn Stewart Olsen      | New Brunswick                             | Sackville, N.B.             |
| Kelvin Kenneth Ogilvie     | Annapolis Valley - Hants                  | Canning, N.S.               |
| Dennis Glen Patterson      | Nunavut                                   | Iqaluit, Nunavut            |
| Bob Runciman               | Ontario—Thousand Islands and Rideau Lakes | Brockville, Ont.            |
| Vim Kochhar                | Ontario                                   | Toronto, Ont.               |
| Pierre-Hugues Boisvenu     | La Salle                                  | Sherbrooke, Que.            |
| Elizabeth (Beth) Marshall  | Newfoundland and Labrador                 | Paradise, Nfld. & Lab.      |
| Rose-May Poirier           | New Brunswick—Saint-Louis-de-Kent         | Saint-Louis-de-Kent, N.B.   |
| David Braley               | Ontario                                   | Burlington, Ont.            |
| Salma Ataullahjan          | Toronto—Ontario                           | Toronto, Ont.               |
| Don Meredith               | Ontario                                   | Richmond Hill, Ont.         |
| Larry W. Smith             | Saurel                                    | Hudson, Que.                |

## SENATORS OF CANADA

### ALPHABETICAL LIST

(March 1, 2011)

| Senator                           | Designation               | Post Office Address        | Political Affiliation |
|-----------------------------------|---------------------------|----------------------------|-----------------------|
| THE HONOURABLE                    |                           |                            |                       |
| Andreychuk, A. Raynell            | Saskatchewan              | Regina, Sask.              | Conservative          |
| Angus, W. David                   | Alma                      | Montreal, Que.             | Conservative          |
| Ataullahjan, Salma                | Toronto—Ontario           | Toronto, Ont.              | Conservative          |
| Baker, George S., P.C.            | Newfoundland and Labrador | Gander, Nfld. & Lab.       | Liberal               |
| Banks, Tommy.                     | Alberta                   | Edmonton, Alta.            | Liberal               |
| Boisvenu, Pierre-Hugues           | La Salle                  | Sherbrooke, Que.           | Conservative          |
| Braley, David                     | Ontario                   | Burlington, Ont.           | Conservative          |
| Brazeau, Patrick                  | Repentigny                | Gatineau, Que.             | Conservative          |
| Brown, Bert                       | Alberta                   | Kathryn, Alta.             | Conservative          |
| Callbeck, Catherine S.            | Prince Edward Island      | Central Bedeque, P.E.I.    | Liberal               |
| Campbell, Larry W.                | British Columbia          | Vancouver, B.C.            | Liberal               |
| Carignan, Claude                  | Mille Isles               | Saint-Eustache, Que.       | Conservative          |
| Carstairs, Sharon, P.C.           | Manitoba                  | Winnipeg, Man.             | Liberal               |
| Champagne, Andrée, P.C.           | Grandville                | Saint-Hyacinthe, Que.      | Conservative          |
| Chaput, Maria                     | Manitoba                  | Sainte-Anne, Man.          | Liberal               |
| Cochrane, Ethel                   | Newfoundland and Labrador | Port-au-Port, Nfld. & Lab. | Conservative          |
| Comeau, Gerald J.                 | Nova Scotia               | Saulnierville, N.S.        | Conservative          |
| Cools, Anne C.                    | Toronto Centre-York       | Toronto, Ont.              | Independent           |
| Cordy, Jane                       | Nova Scotia               | Dartmouth, N.S.            | Liberal               |
| Cowan, James S.                   | Nova Scotia               | Halifax, N.S.              | Liberal               |
| Dallaire, Roméo Antonius          | Gulf                      | Sainte-Foy, Que.           | Liberal               |
| Dawson, Dennis                    | Lauzon                    | Ste-Foy, Que.              | Liberal               |
| Day, Joseph A.                    | Saint John-Kennebecasis   | Hampton, N.B.              | Liberal               |
| De Bané, Pierre, P.C.             | De la Vallière            | Montreal, Que.             | Liberal               |
| Demers, Jacques                   | Rigaud                    | Hudson, Que.               | Conservative          |
| Dickson, Fred J.                  | Nova Scotia               | Halifax, N.S.              | Conservative          |
| Di Nino, Consiglio                | Ontario                   | Downsview, Ont.            | Conservative          |
| Downe, Percy E.                   | Charlottetown             | Charlottetown, P.E.I.      | Liberal               |
| Duffy, Michael                    | Prince Edward Island      | Cavendish, P.E.I.          | Conservative          |
| Dyck, Lillian Eva                 | Saskatchewan              | Saskatoon, Sask.           | Liberal               |
| Eaton, Nicole                     | Ontario                   | Caledon, Ont.              | Conservative          |
| Eggleton, Art, P.C.               | Ontario                   | Toronto, Ont.              | Liberal               |
| Fairbairn, Joyce, P.C.            | Lethbridge                | Lethbridge, Alta.          | Liberal               |
| Finley, Michael Douglas           | Ontario—South Coast       | Simcoe, Ont.               | Conservative          |
| Fortin-Duplessis, Suzanne         | Rougemont                 | Quebec, Que.               | Conservative          |
| Fox, Francis, P.C.                | Victoria                  | Montreal, Que.             | Liberal               |
| Fraser, Joan Thorne               | De Lorimier               | Montreal, Que.             | Liberal               |
| Frum, Linda                       | Ontario                   | Toronto, Ont.              | Conservative          |
| Furey, George                     | Newfoundland and Labrador | St. John's, Nfld. & Lab.   | Liberal               |
| Gerstein, Irving                  | Ontario                   | Toronto, Ont.              | Conservative          |
| Greene, Stephen                   | Halifax - The Citadel     | Halifax, N.S.              | Conservative          |
| Harb, Mac.                        | Ontario                   | Ottawa, Ont.               | Liberal               |
| Hervieux-Payette, Céline, P.C.    | Bedford                   | Montreal, Que.             | Liberal               |
| Housakos, Leo                     | Wellington                | Laval, Que.                | Conservative          |
| Hubley, Elizabeth M.              | Prince Edward Island      | Kensington, P.E.I.         | Liberal               |
| Jaffer, Mobina S. B.              | British Columbia          | North Vancouver, B.C.      | Liberal               |
| Johnson, Janis G.                 | Manitoba                  | Gimli, Man.                | Conservative          |
| Joyal, Serge, P.C.                | Kennebec                  | Montreal, Que.             | Liberal               |
| Kenny, Colin                      | Rideau                    | Ottawa, Ont.               | Liberal               |
| Kinsella, Noël A., <i>Speaker</i> | Fredericton-York-Sunbury  | Fredericton, N.B.          | Conservative          |
| Kochhar, Vim                      | Ontario                   | Toronto, Ont.              | Conservative          |

| Senator                     | Designation                               | Post Office Address         | Political Affiliation    |
|-----------------------------|---|-----------------------------|--------------------------|
| Lang, Daniel                | Yukon                                     | Whitehorse, Yukon           | Conservative             |
| Lavigne, Raymond            | Montarville                               | Verdun, Que.                | Liberal                  |
| LeBreton, Marjory, P.C.     | Ontario                                   | Manotick, Ont.              | Conservative             |
| Losier-Cool, Rose-Marie     | Tracadie                                  | Tracadie-Sheila, N.B.       | Liberal                  |
| Lovelace Nicholas, Sandra   | New Brunswick                             | Tobique First Nations, N.B. | Liberal                  |
| MacDonald, Michael L.       | Cape Breton                               | Dartmouth, N.S.             | Conservative             |
| Mahovlich, Francis William  | Toronto                                   | Toronto, Ont.               | Liberal                  |
| Manning, Fabian             | Newfoundland and Labrador                 | St. Brides's, Nfld. & Lab.  | Conservative             |
| Marshall, Elizabeth (Beth)  | Newfoundland and Labrador                 | Paradise, Nfld. & Lab.      | Conservative             |
| Martin, Yonah               | British Columbia                          | Vancouver, B.C.             | Conservative             |
| Massicotte, Paul J.         | De Lanaudière                             | Mont-Saint-Hilaire, Que.    | Liberal                  |
| McCoy, Elaine               | Alberta                                   | Calgary, Alta.              | Progressive Conservative |
| Meighen, Michael Arthur     | St. Marys                                 | Toronto, Ont.               | Conservative             |
| Mercer, Terry M.            | Northend Halifax                          | Caribou River, N.S.         | Liberal                  |
| Merchant, Pana              | Saskatchewan                              | Regina, Sask.               | Liberal                  |
| Meredith, Don               | Ontario                                   | Richmond Hill, Ont.         | Conservative             |
| Mitchell, Grant             | Alberta                                   | Edmonton, Alta.             | Liberal                  |
| Mockler, Percy              | New Brunswick                             | St. Leonard, N.B.           | Conservative             |
| Moore, Wilfred P.           | Stanhope St./South Shore                  | Chester, N.S.               | Liberal                  |
| Munson, Jim                 | Ottawa/Rideau Canal                       | Ottawa, Ont.                | Liberal                  |
| Murray, Lowell, P.C.        | Pakenham                                  | Ottawa, Ont.                | Progressive Conservative |
| Nancy Ruth                  | Cluny                                     | Toronto, Ont.               | Conservative             |
| Neufeld, Richard            | British Columbia                          | Fort St. John, B.C.         | Conservative             |
| Nolin, Pierre Claude        | De Salaberry                              | Quebec, Que.                | Conservative             |
| Ogilvie, Kelvin Kenneth     | Annapolis Valley - Hants                  | Canning, N.S.               | Conservative             |
| Oliver, Donald H.           | South Shore                               | Halifax, N.S.               | Conservative             |
| Patterson, Dennis Glen      | Nunavut                                   | Iqaluit, Nunavut            | Conservative             |
| Pépin, Lucie                | Shawinigan                                | Montreal, Que.              | Liberal                  |
| Peterson, Robert W.         | Saskatchewan                              | Regina, Sask.               | Liberal                  |
| Plett, Donald Neil          | Landmark                                  | Landmark, Man.              | Conservative             |
| Poirier, Rose-May           | New Brunswick—Saint-Louis-de-Kent         | Saint-Louis-de-Kent, N.B.   | Conservative             |
| Poulin, Marie-P.            | Nord de l'Ontario/Northern Ontario        | Ottawa, Ont.                | Liberal                  |
| Poy, Vivienne               | Toronto                                   | Toronto, Ont.               | Liberal                  |
| Raine, Nancy Greene         | Thompson-Okanagan-Kootenay                | Sun Peaks, B.C.             | Conservative             |
| Ringuette, Pierrette        | New Brunswick                             | Edmundston, N.B.            | Liberal                  |
| Rivard, Michel              | The Laurentides                           | Quebec, Que.                | Conservative             |
| Rivest, Jean-Claude         | Stadacona                                 | Quebec, Que.                | Independent              |
| Robichaud, Fernand, P.C.    | New Brunswick                             | Saint-Louis-de-Kent, N.B.   | Liberal                  |
| Rompkey, William H., P.C.   | Newfoundland and Labrador                 | St. John's, Nfld. & Lab.    | Liberal                  |
| Runciman, Bob               | Ontario—Thousand Islands and Rideau Lakes | Brockville, Ont.            | Conservative             |
| St. Germain, Gerry, P.C.    | Langley-Pemberton-Whistler                | Maple Ridge, B.C.           | Conservative             |
| Segal, Hugh                 | Kingston-Frontenac-Leeds                  | Kingston, Ont.              | Conservative             |
| Seidman (Ripley), Judith G. | De la Durantaye                           | Saint-Raphaël, Que.         | Conservative             |
| Sibbeston, Nick G.          | Northwest Territories                     | Fort Simpson, N.W.T.        | Liberal                  |
| Smith, David P., P.C.       | Cobourg                                   | Toronto, Ont.               | Liberal                  |
| Smith, Larry W.             | Saurel                                    | Hudson, Que.                | Conservative             |
| Stewart Olsen, Carolyn      | New Brunswick                             | Sackville, N.B.             | Conservative             |
| Stratton, Terrance R.       | Red River                                 | St. Norbert, Man.           | Conservative             |
| Tardif, Claudette           | Alberta                                   | Edmonton, Alta.             | Liberal                  |
| Tkachuk, David              | Saskatchewan                              | Saskatoon, Sask.            | Conservative             |
| Wallace, John D.            | New Brunswick                             | Rothsay, N.B.               | Conservative             |
| Wallin, Pamela              | Saskatchewan                              | Kuroki Beach, Sask.         | Conservative             |
| Watt, Charlie               | Inkerman                                  | Kuujuuaq, Que.              | Liberal                  |
| Zimmer, Rod A. A.           | Manitoba                                  | Winnipeg, Man.              | Liberal                  |

**SENATORS OF CANADA**  
**BY PROVINCE AND TERRITORY**  
(March 1, 2011)

**ONTARIO—24**

| Senator                     | Designation                               | Post Office Address |
|-----------------------------|---|---------------------|
| THE HONOURABLE              |   |                     |
| 1 Lowell Murray, P.C.       | Pakenham                                  | Ottawa              |
| 2 Anne C. Cools             | Toronto Centre-York                       | Toronto             |
| 3 Colin Kenny               | Rideau                                    | Ottawa              |
| 4 Consiglio Di Nino         | Ontario                                   | Downsview           |
| 5 Michael Arthur Meighen    | St. Marys                                 | Toronto             |
| 6 Marjory LeBreton, P.C.    | Ontario                                   | Manotick            |
| 7 Marie-P. Poulin           | Northern Ontario                          | Ottawa              |
| 8 Francis William Mahovlich | Toronto                                   | Toronto             |
| 9 Vivienne Poy              | Toronto                                   | Toronto             |
| 10 David P. Smith, P.C.     | Cobourg                                   | Toronto             |
| 11 Mac Harb                 | Ontario                                   | Ottawa              |
| 12 Jim Munson               | Ottawa/Rideau Canal                       | Ottawa              |
| 13 Art Eggleton, P.C.       | Ontario                                   | Toronto             |
| 14 Nancy Ruth               | Cluny                                     | Toronto             |
| 15 Hugh Segal               | Kingston-Frontenac-Leeds                  | Kingston            |
| 16 Nicole Eaton             | Ontario                                   | Caledon             |
| 17 Irving Gerstein          | Ontario                                   | Toronto             |
| 18 Michael Douglas Finley   | Ontario—South Coast                       | Simcoe              |
| 19 Linda Frum               | Ontario                                   | Toronto             |
| 20 Bob Runciman             | Ontario—Thousand Islands and Rideau Lakes | Brockville          |
| 21 Vim Kochhar              | Ontario                                   | Toronto             |
| 22 David Braley             | Ontario                                   | Burlington          |
| 23 Salma Ataullahjan        | Toronto—Ontario                           | Toronto             |
| 24 Don Meredith             | Ontario                                   | Richmond Hill       |

## SENATORS BY PROVINCE AND TERRITORY

## QUEBEC—24

| Senator                                 | Designation               | Post Office Address |
|---|---------------------------|---------------------|
| THE HONOURABLE                          |                           |                     |
| 1 Charlie Watt . . . . .                | Inkerman . . . . .        | Kuujuaq             |
| 2 Pierre De Bané, P.C. . . . .          | De la Vallière . . . . .  | Montreal            |
| 3 Jean-Claude Rivest . . . . .          | Stadacona . . . . .       | Quebec              |
| 4 W. David Angus . . . . .              | Alma . . . . .            | Montreal            |
| 5 Pierre Claude Nolin . . . . .         | De Salaberry . . . . .    | Quebec              |
| 6 Céline Hervieux-Payette, P.C. . . . . | Bedford . . . . .         | Montreal            |
| 7 Lucie Pépin . . . . .                 | Shawinigan . . . . .      | Montreal            |
| 8 Serge Joyal, P.C. . . . .             | Kennebec . . . . .        | Montreal            |
| 9 Joan Thorne Fraser . . . . .          | De Lorimier . . . . .     | Montreal            |
| 10 Raymond Lavigne . . . . .            | Montarville . . . . .     | Verdun              |
| 11 Paul J. Massicotte . . . . .         | De Lanaudière . . . . .   | Mont-Saint-Hilaire  |
| 12 Roméo Antonius Dallaire . . . . .    | Gulf . . . . .            | Sainte-Foy          |
| 13 Andrée Champagne, P.C. . . . .       | Grandville . . . . .      | Saint-Hyacinthe     |
| 14 Dennis Dawson . . . . .              | Lauzon . . . . .          | Ste-Foy             |
| 15 Francis Fox, P.C. . . . .            | Victoria . . . . .        | Montreal            |
| 16 Michel Rivard . . . . .              | The Laurentides . . . . . | Quebec              |
| 17 Patrick Brazeau . . . . .            | Repentigny . . . . .      | Gatineau            |
| 18 Leo Housakos . . . . .               | Wellington . . . . .      | Laval               |
| 19 Suzanne Fortin-Duplessis . . . . .   | Rougemont . . . . .       | Quebec              |
| 20 Claude Carignan . . . . .            | Mille Isles . . . . .     | Saint-Eustache      |
| 21 Jacques Demers . . . . .             | Rigaud . . . . .          | Hudson              |
| 22 Judith G. Seidman (Ripley) . . . . . | De la Durantaye . . . . . | Saint-Raphaël       |
| 23 Pierre-Hugues Boisvenu . . . . .     | La Salle . . . . .        | Sherbrooke          |
| 24 Larry W. Smith . . . . .             | Saurel . . . . .          | Hudson              |

## SENATORS BY PROVINCE-MARITIME DIVISION

## NOVA SCOTIA—10

| Senator                   | Designation              | Post Office Address |
|---------------------------|--------------------------|---------------------|
| THE HONOURABLE            |                          |                     |
| 1 Gerald J. Comeau        | Nova Scotia              | Saulnierville       |
| 2 Donald H. Oliver        | South Shore              | Halifax             |
| 3 Wilfred P. Moore        | Stanhope St./South Shore | Chester             |
| 4 Jane Cordy              | Nova Scotia              | Dartmouth           |
| 5 Terry M. Mercer         | Northend Halifax         | Caribou River       |
| 6 James S. Cowan          | Nova Scotia              | Halifax             |
| 7 Fred J. Dickson         | Nova Scotia              | Halifax             |
| 8 Stephen Greene          | Halifax - The Citadel    | Halifax             |
| 9 Michael L. MacDonald    | Cape Breton              | Dartmouth           |
| 10 Kelvin Kenneth Ogilvie | Annapolis Valley - Hants | Canning             |

## NEW BRUNSWICK—10

| Senator                            | Designation                            | Post Office Address   |
|------------------------------------|--|-----------------------|
| THE HONOURABLE                     |  |                       |
| 1 Noël A. Kinsella, <i>Speaker</i> | Fredericton-York-Sunbury               | Fredericton           |
| 2 Rose-Marie Losier-Cool           | Tracadie                               | Tracadie-Sheila       |
| 3 Fernand Robichaud, P.C.          | Saint-Louis-de-Kent                    | Saint-Louis-de-Kent   |
| 4 Joseph A. Day                    | Saint John-Kennebecasis, New Brunswick | Hampton               |
| 5 Pierrette Ringuette              | New Brunswick                          | Edmundston            |
| 6 Sandra Lovelace Nicholas         | New Brunswick                          | Tobique First Nations |
| 7 Percy Mockler                    | New Brunswick                          | St. Leonard           |
| 8 John D. Wallace                  | New Brunswick                          | Rothsay               |
| 9 Carolyn Stewart Olsen            | New Brunswick                          | Sackville             |
| 10 Rose-May Poirier                | New Brunswick—Saint-Louis-de-Kent      | Saint-Louis-de-Kent   |

## PRINCE EDWARD ISLAND—4

| Senator                 | Designation          | Post Office Address |
|-------------------------|----------------------|---------------------|
| THE HONOURABLE          |                      |                     |
| 1 Catherine S. Callbeck | Prince Edward Island | Central Bedeque     |
| 2 Elizabeth M. Hubley   | Prince Edward Island | Kensington          |
| 3 Percy E. Downe        | Charlottetown        | Charlottetown       |
| 4 Michael Duffy         | Prince Edward Island | Cavendish           |

## SENATORS BY PROVINCE-WESTERN DIVISION

**MANITOBA—6**

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

**BRITISH COLUMBIA—6**

| Senator                           | Designation                          | Post Office Address |
|-----------------------------------|--------------------------------------|---------------------|
| THE HONOURABLE                    |                                      |                     |
| 1 Gerry St. Germain, P.C. . . . . | Langley-Pemberton-Whistler . . . . . | Maple Ridge         |
| 2 Mobina S. B. Jaffer . . . . .   | British Columbia . . . . .           | North Vancouver     |
| 3 Larry W. Campbell . . . . .     | British Columbia . . . . .           | Vancouver           |
| 4 Nancy Greene Raine . . . . .    | Thompson-Okanagan-Kootenay . . . . . | Sun Peaks           |
| 5 Yonah Martin . . . . .          | British Columbia . . . . .           | Vancouver           |
| 6 Richard Neufeld . . . . .       | British Columbia . . . . .           | Fort St. John       |

**SASKATCHEWAN—6**

| Senator                           | Designation            | Post Office Address |
|-----------------------------------|------------------------|---------------------|
| THE HONOURABLE                    |                        |                     |
| 1 A. Raynell Andreychuk . . . . . | Saskatchewan . . . . . | Regina              |
| 2 David Tkachuk . . . . .         | Saskatchewan . . . . . | Saskatoon           |
| 3 Pana Merchant . . . . .         | Saskatchewan . . . . . | Regina              |
| 4 Robert W. Peterson . . . . .    | Saskatchewan . . . . . | Regina              |
| 5 Lillian Eva Dyck . . . . .      | Saskatchewan . . . . . | Saskatoon           |
| 6 Pamela Wallin . . . . .         | Saskatchewan . . . . . | Kuroki Beach        |

**ALBERTA—6**

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| 6 Bert Brown . . . . .          | Alberta . . . . .    | Kathryn             |

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| 6 Elizabeth (Beth) Marshall . . . . . | Newfoundland and Labrador . . . . . | Paradise            |

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