



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Thursday, November 29, 2012

The Honourable NOËL A. KINSELLA  
Speaker

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## THE SENATE

Thursday, November 29, 2012

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

Prayers.

[*Translation*]

### SENATOR'S STATEMENT

#### MR. ALEX HARPER

**Hon. Jean-Guy Dagenais:** Honourable senators, last summer, while in Montreal to present the Queen Elizabeth II Diamond Jubilee Medal, I met a great Canadian whom I would like to tell you about today.

I am referring to Alex Harper, who is no relation to our Right Honourable Prime Minister.

I was deeply moved by the life story of Mr. Harper, who has been a leading advocate for the safety of the people living in the greater Montreal area.

His quest for full Canadian citizenship is a rather unusual story.

Mr. Harper was born during World War II to Scottish parents. His father was killed in France in 1940 while serving in a war in which many Canadians were fighting. In 1941, his mother met a Canadian soldier by the name of Alfred Harper, who married her and adopted Alex.

The couple returned to Canada and, by virtue of his adoption, Alex Harper always believed that he had obtained his Canadian citizenship, which was supposedly bestowed automatically before 1947.

As a young man, Alex Harper was hired by the Montreal Board of Trade, as it was then known, where he worked his way up the administrative ladder to the position of president. In 1980, his responsibilities required him to become a commissioner for oaths, and he applied to be appointed. When his application was rejected, he learned that he was not a Canadian citizen.

Almost 35 years after arriving in Canada, Alex Harper had to go through a lengthy process — which included finding his adoption papers and taking the immigration exams — to become a Canadian.

Upon receiving the Jubilee Medal, Mr. Harper shared with the audience, for the first time, the story of his life. Teary-eyed, he said that he was proud to have become a Canadian and to be receiving the honour I was bestowing upon him.

The atmosphere in the room was thick with emotion.

Even without knowing his life story, I already thought of Alex Harper as a great Canadian who had dedicated 30 years of his life to the Montreal Board of Trade. Under his leadership,

the hundred-year-old organization merged with the *Chambre de commerce de Montréal* in 1992, unifying Montreal's anglophone and francophone business communities.

His involvement in the social and economic life of the greater Montreal area was largely behind the scenes, but he was instrumental in the creation of *Aéroports de Montréal*, and in the United Way, the *Mariners House*, the *Saint James Club* and residual waste management.

In 1987, during his time with the Montreal Board of Trade, Alex Harper also created *Info-Crime*, a characteristically Quebec version of *Crime Stoppers*. Quebec did not have that kind of organization to help the police.

Thanks to his initiative, the Montreal Urban Community Police — now the *Service de police de la Ville de Montréal* — has been reaping the benefits of community programs to track down criminals and prevent crime.

*Info-Crime* is now 25 years old. Mr. Harper is now in the publishing business, but he remains the secretary and executive director of *Info-Crime*.

In closing, I would like to add that Mr. Harper is married with three children and six grandchildren.

Canada will always need new Canadians like Alex Harper to help create a better future for its people.

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw to your attention the presence in the gallery of Mr. Alex Harper. He is a guest of the Honourable Senator Dagenais.

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

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

[*English*]

### ROUTINE PROCEEDINGS

#### JOBS AND GROWTH BILL, 2012

EIGHTH REPORT OF BANKING, TRADE  
AND COMMERCE COMMITTEE  
ON SUBJECT MATTER TABLED

**Hon. David Tkachuk:** Honourable senators, I have the honour to table, in both official languages, the eighth report of the Standing Senate Committee on Banking, Trade and Commerce,

which deals with the subject-matter of those elements contained in Divisions 1, 3, 6 and 14 of Part 4 of Bill C-45, A second Act to implement certain provisions of the budget tabled in Parliament on March 29, 2012 and other measures, and, with leave of the Senate and notwithstanding the order of October 30, 2012, I move that the report, in addition to being referred to the National Finance Committee, also be placed on the orders of the day for consideration at the next sitting.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(On motion of Senator Tkachuk, report placed on the Orders of the Day for consideration at the next sitting of the Senate. Pursuant to the order of October 30, 2012, the report is also deemed referred to the Standing Senate Committee on National Finance.)

• (1340)

[*Translation*]

SEVENTH REPORT OF TRANSPORT  
AND COMMUNICATIONS COMMITTEE  
ON SUBJECT MATTER TABLED

**Hon. Dennis Dawson:** Honourable senators, I have the honour to table, in both official languages, the seventh report of the Standing Senate Committee on Transport and Communications, which deals with the subject matter of Divisions 5, 12 and 20 of Part 4 of Bill C-45, A second Act to implement certain provisions of the budget tabled in Parliament on March 29, 2012, and other measures, and, with leave of the Senate and notwithstanding the order of October 30, 2012, I move that the report, in addition to being referred to the National Finance Committee, also be placed on the Orders of the Day for consideration at the next sitting

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(On motion of Senator Dawson, report placed on the Orders of the Day for consideration at the next sitting of the Senate. Pursuant to the order of October 30, 2012, the report is also deemed referred to the Standing Senate Committee on National Finance.)

[ Senator Tkachuk ]

[*English*]

**FOOD AND DRUGS ACT**

BILL TO AMEND—SIXTEENTH REPORT  
OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY  
COMMITTEE PRESENTED

**Hon. Kelvin Kenneth Ogilvie,** Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, November 29, 2012

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

**SIXTEENTH REPORT**

Your committee, to which was referred Bill C-313, An Act to amend the Food and Drugs Act (non-corrective contact lenses), has, in obedience to the order of reference of Tuesday, October 2, 2012, examined the said bill and now reports the same without amendment.

Respectfully submitted,

KELVIN K. OGILVIE  
*Chair*

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

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

**JOBS AND GROWTH BILL, 2012**

TENTH REPORT OF ABORIGINAL PEOPLES  
COMMITTEE ON SUBJECT MATTER TABLED

**Hon. Vernon White:** Honourable senators, I have the honour to table, in both official languages, the tenth report of the Standing Senate Committee on Aboriginal Peoples, which deals with the subject-matter of those elements contained in Division 8 of Part 4 of Bill C-45, A second Act to implement certain provisions of the budget tabled in Parliament on March 29, 2012 and other measures, and, with leave of the Senate and notwithstanding the order of October 30, 2012, I move that the report, in addition to being referred to the National Finance Committee, also be placed on the Orders of the Day for consideration at the next sitting.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(On motion of Senator White, report placed on the Orders of the Day for consideration at the next sitting of the Senate. Pursuant to the order of October 30, 2012, the report is also deemed referred to the Standing Senate Committee on National Finance.)

## FINANCIAL CONSUMER AGENCY OF CANADA ACT

## BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-28, An Act to amend the Financial Consumer Agency of Canada Act.

(Bill read first time.)

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

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

[Translation]

## CANADA NATIONAL PARKS ACT

## BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-370, An Act to amend the Canada National Parks Act (St. Lawrence Islands National Park of Canada).

(Bill read first time.)

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

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

[English]

## THE SENATE

NOTICE OF MOTION TO URGE THE GOVERNMENT  
OF THE ISLAMIC REPUBLIC OF IRAN  
TO RELEASE NASRIN SOTOUDEH

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

That the Senate of Canada, alarmed by the lengthy hunger strike of the unlawfully incarcerated human rights lawyer Nasrin Sotoudeh, deplore the treatment she has received at the hands of the government of the Islamic Republic of Iran and urge that she be immediately and unconditionally released.

## QUESTION PERIOD

## AGRICULTURE AND AGRI-FOOD

CANADIAN FOOD INSPECTION AGENCY—  
FOOD SAFETY

**Hon. Pierre De Bané:** Honourable senators, to the honourable Leader of the Government in the Senate, according to CTV Ottawa Bureau Chief Robert Fife and Field Producer Philip Ling of CTV News, federal beef inspectors of the XL Foods plant in southern Alberta were ordered to turn a blind eye to contamination on carcasses being processed for sale to Canadians.

**Senator Tardif:** Shame!

**Senator De Bané:** It was a directive that was imposed by inspectors and supervisors and that has been going on for the last four years. The 2008 memo, written by a Canadian Food Inspection Agency meat hygiene supervisor, obtained by CTV, instructed CFIA inspectors stationed at one of the plant's final inspection stops to give extra scrutiny to carcasses shipped to Japan but to ignore visible fecal and intestinal contamination on meat for Canadians.

• (1350)

Our number 1 priority is to ensure this standard is met with Japan eligible carcasses.

That is what the memo said of the inspection station.

Ensure that non-Japan-eligible carcasses are not inspected for spinal cord/dura-mater, OCD (other carcasses defects) and minor ingesta.

The note continued:

Ignore them.

As for the union representing workers, the CTV story continued:

“There’s one standard for beef being shipped to Japan and there’s another standard for beef being shipped elsewhere,” said Doug O’Halloran, president of United Food & Commercial Workers Local 401. “It is incredible that you could allow material to leave the plant that could have contamination on it just because it’s not going to Japan.

“No disrespect to Japan, but what about the rest of the human beings in the world? It’s like we are second-class citizens,” he said.

That memo, honourable senators, dated September 12, 2008, was sent to CFIA inspection staff at the Brooks, Alberta plant and was reissued to them in 2010-11. The CFIA memo added that

the contaminants can be detected later on in the meat processing process, something with which the union representing inspectors disagreed. The reason it disagreed is the following:

“What (the CFIA memo) is saying is that for non-Japan-destined carcasses, don’t worry about seeing minor defects and that the problem will be picked up later on,” Agriculture Union President Bob Kingston said. “But the problem with that is it’s at the end of the inspection line. If it’s not dealt with there, nobody is going to.”

This is the end of the line.

Honourable senators, why has the government been reissuing that memo for the last four years?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for the question. As I have reported here, and we know this to be the truth, safe food for Canadian consumers is, of course, the first priority of the Canadian Food Inspection Agency and, of course, the Government of Canada. CFIA, the Canadian Food Inspection Agency, has confirmed that the meat sold in Canada is just as safe as meat being exported to other markets, including Japan; and the Canadian Food Inspection Agency ensures that meat processed in Canada must meet Canada’s high food safety standards, and this is required by Canadian law.

**Senator De Bané:** Honourable senators, I have no doubt that the leader has expressed the government policy as she understands it, but I read to her explicit quotations that leave no doubt that there is a clear, explicit distinction between what could be sent to Japan, what the standards are that must be achieved for Japan, and then the same memo says, “Don’t apply the same rigorous standards to other consumers, other markets.”

I understand what the leader has said, but the document says exactly the opposite.

**Senator LeBreton:** I thank the honourable senator for that comment. Since he quoted extensively from a four-year-old memo provided by the union headed up by Mr. Kingston, I will take the opportunity to read into the record a statement regarding this memo to inspection staff at XL Foods Inc., and it was put out by the Canadian Food Inspection Agency.

On November 28, 2012, CTV reported on a four-year-old memo sent to inspectors at the Canadian Food Inspection Agency (CFIA). The union, which represents inspectors, has recently alleged the memo directed inspection staff at XL Food Inc. to perform certain tasks for meat destined for export to Japan, while ignoring food safety controls for domestic meat. This is categorically false.

The CFIA ensures that the same stringent food safety standards are applied to domestic and exported products. This was the case four years ago and it remains true today. Within meat plants, there are specific inspection tasks conducted at various stations and production points in production. The memo referenced simply emphasizes this division of labour.

This information was clarified with the union and front line inspection staff over three weeks ago when the union first brought their allegations to the CFIA’s attention. It was also explained in detail on two occasions to CTV.

What the union and CTV fail to mention is that every carcass processed in Canada must meet Canada’s high food safety standards. This is required by law. There is zero tolerance for any form of contamination, and critical control points to detect problems are in place at multiple points throughout the inspection process. If at any time during inspection a potential risk to food safety is detected - regardless of the product’s destination - the line is stopped and product is held until the concern is resolved and product is in compliance.

Canada’s food safety system is recognized as world-class and is constantly verified by the audits of our trading nations.

The CFIA’s first priority is safety. We are fully committed to providing Canadian consumers the protection they expect and deserve.

It is interesting that CTV in the report chose not to mention that the Canadian Food Inspection Agency had actually tried to correct their misinformation.

**Senator De Bané:** Honourable senators, I quoted a memo that was sent in 2008 and reissued several times. However, I put that aside.

Would the leader at least agree that the memo does make a distinction between the Japanese markets and other markets, just that? Does it talk about the Japanese market, that for the Japanese there should be first class, no minor defects, nothing, and that applies to the Japanese market? Am I correct in saying that? Is it true that the Japanese market is specifically, expressly mentioned and is distinct from the Canadian and other foreign markets? Am I right in saying that?

**Senator LeBreton:** I think the senator is wrong in saying that, and I think the statements from the Canadian Food Inspection Agency have made it very clear that the same rigorous standards apply no matter where the meat is being sent, whether it is being sent across Canada for domestic use or whether it is being exported to our many trading partners.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Madam Minister, if such rigorous standards are being upheld, as the minister maintains, why did 15 people get ill with E. coli this fall?

**Senator LeBreton:** Obviously, honourable senators, the Canadian Food Inspection Agency detected some concerns at that particular plant. Those concerns were addressed and the plant has been reopened. The job of the Canadian Food Inspection Agency is to detect these problems when they surface from time to time, and they do surface from time to time all over the country; we all know that.

• (1400)

**An Hon. Senator:** Or the world.

**Senator LeBreton:** That is right. Therefore, the Canadian Food Inspection Agency took the proper procedures.

When this incident first occurred at XL Foods, the matter was thoroughly investigated, procedures were put in place to make sure all the equipment was safe and, then, once that was determined, the plant reopened.

[*Translation*]

## CANADIAN HERITAGE

### PARKS CANADA— ROCKY MOUNTAIN HOUSE HISTORIC SITE

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, last Tuesday we celebrated Canadian Museums Day. Unfortunately, this was not a day of celebration for many of our museums and historic sites.

As you no doubt know, the massive cuts of close to \$30 million imposed on Parks Canada dealt a direct blow to some historic sites across Canada. I recently received a letter from one of the affected sites, the Rocky Mountain House National Historic Site. The site, which is located in Alberta, protects the archaeological remains of four trading posts while presenting the site's history.

I would like to quote the letter from Shirley Evans, President of the Confluence Heritage Society, which takes care of most of this historic site's operations. It reads:

[*English*]

The Rocky Mountain House National Historic Site, much to our dismay, was one of the sites which were chosen to become self-guided. We do not know what criteria were applied to select our site, in fact, the only criteria mentioned by Parks Canada in press releases involved canals and declining attendance and neither of these applies to us. We live in an area where there are many Aboriginal people who rely strongly on oral tradition; therefore self-guided has little or no value to them.

[*Translation*]

Honourable senators, can the minister tell us what criteria were used to determine that the Rocky Mountain House National Historic Site would have to put an end to its interpretation services?

[*English*]

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, I thank the honourable senator for the question. It is a fact that no other government has done more when it comes to the protection and promotion of our national parks. We have increased Parks Canada's budget by \$50 million since 2006. We have set aside protected parklands and areas the size of New Brunswick, Nova Scotia and P.E.I. combined. National parks and historic sites will remain open this winter, and

I am informed that Parks Canada is working with volunteer organizations to provide assistance and equipment for ski tracking and other trails through various parks.

With regard to Rocky Mountain House, I specifically will take that question as notice and respond by written response in respect of deliberations that have taken place between Parks Canada and that particular site.

**Senator Tardif:** I appreciate the leader checking into this. I would only say that approximately 3,000 students per year visit the Rocky Mountain House site. These students pay fees for guided tours. Not only will Alberta schools no longer have access to tours at the site, but the lost earnings for the Rocky Mountain House site will be substantial. We have to understand that we must support culture, not only in our nation's capital but also in communities across Canada.

Honourable senators, I ask the minister how cutting back a small site that is closely involved with the local community, and which has been pretty much gutted in the last years, makes any difference to the federal budget?

**Senator LeBreton:** I just pointed out that the federal government's budgeted allocation has increased massively for Parks Canada. Obviously Parks Canada, with the additional monies they have been provided, has been working to ensure that Canadians have access to the historic sites across the country.

With regard to a specific decision by Parks Canada in the case of Rocky Mountain House, I indicated that I would ask for specific information about Rocky Mountain House. However, I do not think there is any denying the fact that this government has invested a lot in our history, culture and heritage. We have invested a lot in Parks Canada. Parks Canada has done an incredible job of providing access to our parks and historic sites. I cannot specifically address the one that the honourable senator raises in relation to Rocky Mountain House but, as I indicated, I will make an inquiry.

[*Translation*]

**Hon. Maria Chaput:** Honourable senators, what Senator Tardif just asked Senator LeBreton reminds me of the questions I asked her about Louis Riel House in Winnipeg, Manitoba.

Can the senator tell us the criteria that Parks Canada used when deciding to cut these services? The two examples given involve services affecting Aboriginal or Metis communities. Could the senator obtain information on the criteria used and the impact analysis that was developed and used, once again, to determine which services were cut and where?

[*English*]

**Senator LeBreton:** I actually answered this question from the honourable senator before. The Riel House National Historic Site remains open to the public and will continue to be accessible to visitors during the peak summer season.

Parks Canada is working with the community for the self-guided activities at Riel House. If I remember correctly, there was some question that the government and Parks Canada would not continue to support the Riel House National Historic Site and, of course, that is absolutely not true.

## ENVIRONMENT

### PROPOSED PIPELINE PROJECTS— EXPERIMENTAL LAKES AREA

**Hon. Grant Mitchell:** Honourable senators, I think what some people have learned, at least what has been illustrated by the holdup in getting approval for the gateway and for the Keystone pipelines, is that we will not get to build these if we cannot get social licence and get the public on side to allow these to be built. The public will not give that social licence unless Canada can demonstrate that it is really good on the environment. Therefore, the government should be extremely careful about the kind of anti-environment message it is sending to the public of Canada, the public of the U.S. and the public of the world.

The Experimental Lakes Area is world renowned for the scientific work it does on many water-related issues, such as the reclamation of waters in the oil sands in northern Alberta.

What message does this government think it is sending to the public of Canada, the people of British Columbia, the people of the U.S. and the world when it shuts down the Experimental Lakes Area to save \$2 million? The Experimental Lakes Area is world renowned in its impact and contribution to higher environmental outcomes and higher environmental standards.

**Hon. Marjory LeBreton (Leader of the Government):** First, honourable senators, we are not sending an anti-environmental message — anything but. Minister Kent is headed off to Doha, and we have made great strides following the Copenhagen Accord in meeting our targets. An announcement was made yesterday about fuel consumption in vehicles.

The Experimental Lakes Area project, as I mentioned before, is a project that the federal government is no longer funding because we have many other scientific projects under way that meet the present-day needs with regard to information we need for the environment.

**Senator Mitchell:** Honourable senators, just yesterday the leader was saying this government was going to listen to science on the gateway pipeline, yet every scientist in the water science area in Canada, and many in the world, will say there is nothing being done like what is being done at the Experimental Lakes Area. It is world-class and it is above almost any other water initiative in this country. Why not listen to the scientists on this?

I would like to explore the process by which this government sets priorities. During the Olympics we saw ads for bullets and bayonets and the War of 1812 right in the middle of the Olympic Games, which they say — and of course they do — bring the youth of the world together in peace. What juxtaposition: Bullets and bayonets, world youth together in peace. That cost \$1.8 million in advertising.

[ Senator LeBreton ]

Does the leader think, just for a moment, that it might have been better to spend the \$1.8 million on the Experimental Lakes Area and keep it open for one more year, or just about?

• (1410)

**Senator LeBreton:** I am curious and somewhat puzzled by the angst expressed by the honourable senator's side over Canadians being told about our history.

Environment Canada, the Department of National Defence and Canadian Heritage are allocated sums of money and have programs that fall under their mandates. The mandate of Canadian Heritage is to promote Canadian history and culture. As I pointed out here a few days ago, within its existing envelope of funds Canadian Heritage is going to participate in many events leading up to Canada's one hundred and fiftieth birthday. I hope that everyone in the country would want to celebrate Sir John A. Macdonald and Canada's one hundred and fiftieth birthday.

We have all expressed concern over the lack of knowledge of Canadian history of our younger people. Very few provinces in the country include history as a mandatory subject in their curriculum. The monies expended to commemorate the War of 1812 have absolutely nothing to do with the many millions of dollars spent by other departments.

I fail to see, honourable senators, how the money that we are putting into science and technology in the Department of the Environment, which underscores the fact that there was no longer any need to fund the Experimental Lakes Area, has anything to do with the mandate of another department to promote Canadian history and culture.

**Senator Mitchell:** Honourable senators, I guess the people of Edmonton will be interested to hear that the government is actually doing things to celebrate the one hundred and fiftieth anniversary of Canada because it sure did not help Edmonton with its 2017 Expo application.

Back to the idea of what messages the government is setting, there may be a glimmer of hope. Maybe this message is getting through to the leader. I have not heard anyone on her side, either here or in the other place, actually attacking environmental NGOs and foundations that fund them. Has the government now received the message that by attacking U.S. environmental NGOs you are sending exactly the wrong message when you are trying to get social licence to build Keystone and to diversify markets? Have you finally got that message and have you told some of your members to stop putting down those environmental NGOs in the U.S.?

**Senator LeBreton:** Senator Mitchell has a vivid imagination. On the decision with regard to Edmonton, except for the mayor there, it was overwhelmingly supported by the citizens of Edmonton.

**An Hon. Senator:** No, it was not!

**Senator LeBreton:** Yes, it was. I believe there was an election after that decision and our members of Parliament who ran in Edmonton were very successful.



Our commitment to the environment and our cooperative work with the United States have produced many results. The Minister of the Environment has either gone or is going to the conference in Doha, Qatar. We made commitments in Copenhagen which were followed up in Cancun, and the government is well on its way to meeting those commitments.

I do not know who the honourable senator is talking about, but this government does recognize the importance of the environment. We have taken many steps to improve the quality of our air and water. We have also worked very hard with the scientific community in advancing this file.

I do not know who the honourable senator is talking about. There are many people in the public on both sides of the issue, but they do not speak for the government.

#### GREENHOUSE GAS EMISSIONS

**Hon. Grant Mitchell:** Honourable senators, the leader claims that the government is making progress with its steps to fix greenhouse gas emissions, but the only body that gave a subjective evaluation of that was the National Round Table on the Economy and the Environment, and of course the government shut them down because they were saying that progress was not being made.

What objective body is saying that the government is making progress in reducing greenhouse gas emissions other than through the coincidence of a declining economy, which happens more often than not under Conservative governments and has once in a while seemed to reduce emissions a little bit, or at least their trajectory?

Could the leader give me some idea of who is objectively assessing greenhouse gas emission reductions so that she can back up the claim she just made?

**Hon. Marjory LeBreton (Leader of the Government):** What planet is Senator Mitchell living on, let alone in what country? Our economy is the best in the G7. We have created over 820,000 new jobs.

I think we all acknowledge that Canada wants to see an agreement that binds all major emitters. According to the 2012 Canada's Emissions Trends report, Canada is halfway towards its Copenhagen target of reducing greenhouse gas emissions by 17 per cent from 2005 levels by 2020. We are balancing the need to lower emissions with job creation and economic growth, and we do have job creation and economic growth. We are making progress for the first time in decades as Canada's economy has grown without greenhouse gas increases. We are taking a sector-by-sector approach, as I have reported many times before. We targeted the largest emitting sectors first, and we are delivering on our promise to work on light-duty vehicle regulations, short-lived climate pollutants and heavy-duty vehicle regulations, and have finalized coal-fired electricity regulations, which were announced on September 5.

On November 27 we announced proposed regulations to improve fuel efficiency and reduce emissions of passenger automobiles and light trucks for the model years 2017 and beyond. This will improve fuel efficiency so that by 2025 cars will

consume 50 per cent less fuel and emit 50 per cent less greenhouse gas emissions than similar 2008 models. We will continue to work with our partners to reduce emissions from other sectors, including oil and gas.

While I am on my feet, I will reiterate that this government will never, ever implement a job-killing carbon tax.

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

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of a group of faith leaders from Mississauga. They are the guests of the Honourable Senator Meredith.

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

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

#### DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, I have the honour to table the answer to the oral question asked by the Honourable Senator Cordy on October 2, 2012, concerning food safety.

[*Translation*]

Honourable senators, I also have the honour to table the answer to the oral question asked by the Honourable Senator Moore on October 2, 2012, concerning food safety; the answer to the oral question asked by the Honourable Senator Moore on October 17, 2012, concerning food safety; and the answer to the oral question asked by the Honourable Senator Cordy on October 17, 2012, concerning food safety.

[*English*]

#### AGRICULTURE AND AGRI-FOOD

##### CANADIAN FOOD INSPECTION AGENCY— FOOD SAFETY

(*Response to question raised by Hon. Jane Cordy on October 2, 2012*)

In response to the *Report of the Independent Investigator into the 2008 Listeriosis Outbreak*, the CFIA enhanced the system used to track inspection resources by implementing an Inspector Commodity Identification system. This system was launched in 2010 and allows the Agency to report on inspection resources with more detail. The information in Annex A and B displays data for March 31, 2011 and March 31, 2012.

For information related to previous years, please refer to the CFIA's Population and Inspection Staff table on the web: <http://www.inspection.gc.ca/english/agen/inspece.shtml>

Annex A illustrates the total number of CFIA Field Inspection Staff for each Program. The data is for March 31, 2011 and March 31, 2012.

Annex B illustrates the total number of CFIA Field Inspection Staff for each Commodity. The data is for March 31, 2011 and March 31, 2012.

From year to year and within the year, the number of CFIA's field inspection staff may fluctuate within each program. This is the result of several reasons, mainly:

#### Turnover

- field inspection staff leave the Agency

#### Changes in demand for inspection services.

- openings and closures of federally registered or licensed establishments
- shift in demand for inspection services not related to establishments

To address these fluctuations, the CFIA engages in recruitment and staffing activities on an ongoing basis.

*(For Annex A and B, see Appendix, p. 2922.)*

[Translation]

*(Response to question raised by Hon. Wilfred P. Moore on October 2, 2012)*

The Budget 2012 provided \$51.2M over two years to Canadian Food Inspection Agency, Public Health Agency of Canada and Health Canada. This funding will be used to continue to strengthen Canada's food safety system. It will also be used to enhance surveillance and early detection and improve response capabilities to food-borne illness emergencies by maintaining inspection capacity in federally registered ready to eat meat processing establishments.

As indicated in the Main Estimates, the Agency's approved 2012-13 total budget is \$685.5M, of which \$315M is for the Food Safety Program. The Canadian Food Inspection Agency's budget will be increased through supplementary estimates during the year.

In response to the question of where the total Agency's budget is spent across the country at the various inspection locations: with its headquarters in the National Capital Region, the Canadian Food Inspection Agency is organized into four operational areas (Atlantic, Quebec, Ontario and Western) that are subdivided into 18 regional offices, 185 field offices (including border points of entry), 408 offices in non-governmental establishments (such as processing facilities), and 14 laboratories.

*(Response to question raised by Hon. Wilfred P. Moore on October 17, 2012)*

The CFIA currently has 40 inspectors and 6 veterinarians assigned full-time to the XL Foods Inc. plant in Brooks, Alberta providing systematic inspection and oversight

[ Senator Carignan ]

during the plant's operation. They work in two shifts to ensure full coverage whenever the plant is operating. There have been no changes to the existing staffing levels at XL Foods Inc. in the last 12 months. In fact, since 2006 we have added 2 veterinarians and six inspectors to the plant complement.

*(Response to question raised by Hon. Jane Cordy on October 17, 2012)*

Recall of meat products began on September 16 and products have since been recalled for five days of production (August 24, 27, 28, 29 and September 5). Any other meat products produced on other production days were not affected by the recall and have been permitted to leave the plant up until the licence to operate was suspended on September 27. At that time, all products in the plant were placed under CFIA detention and control. No products from Establishment 38, XL Foods Inc. have entered the marketplace since September 27.

• (1420)

[English]

## ORDERS OF THE DAY

### CRIMINAL CODE

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

**Hon. Bob Runciman** moved third reading of Bill C-290, An Act to amend the Criminal Code (sports betting).

He said: Honourable senators, I am pleased to kick off what I suspect will be a very interesting third reading debate on Bill C-290, the single-event sports betting bill.

When I was asked to sponsor this bill in the Senate, by a Conservative MP, I should add, I was easily persuaded by the potential negative impact the bill could have on the gambling dollars flowing into the hands of organized crime.

Of course, I was also advised that this would be a slam dunk for passage and that all parties supported it, with no dissenters. I think we can all agree that the last assurance was more than a little misleading. In my almost three years in the Senate, I cannot recall legislation generating such public and media interest or that has created such real uncertainty regarding its ultimate fate.

Bill C-290 is a simple bill consisting of just two clauses, and, if passed, it will remove the prohibition in the Criminal Code against betting on a single event. This bill would not legalize

single-event sports wagering, but it would open the door for the provinces to pass legislation to permit it. As honourable senators well know, responsibility for regulation of gambling is in provincial hands, and this legislation is strongly supported by a number of the provinces, particularly Ontario, British Columbia, Manitoba and Saskatchewan.

The Ontario government has been the most vocal supporter, and if I had a reason to vote against the legislation, that would be it. The province's gaming policies are offensive, wrong-headed and, in the case of rural and small-town Ontario, devastating. Their decision to end the highly successful partnership with racetracks will kill much of the industry, result in the euthanasia of more than 13,000 horses and throw at least 30,000 Ontarians out of work at a time when the province has an 8.3 per cent unemployment rate. Their policy to plunk new casinos into the centre of cities like Ottawa, without public input through referenda, will result, according to experts, in a significant increase in problem gamblers. This is a desperate tax grab by a government that has presided over the decline of the province to have-not status and that, in a reckless search for cash, seems to care little about the morality of its gaming decisions and their impact on families and communities.

However, as strongly as I feel about what Ontario is doing, that would be the wrong reason to vote against this bill. That would fly in the face of the evidence the Standing Senate Committee on Legal and Constitutional Affairs heard, evidence that, in my opinion, strengthens the case for this legislation. Voting against this bill ignores the testimony of those who treat problem gamblers. Voting against this bill ignores the submissions of those with experience enforcing the laws against illegal gambling. Voting against this bill plays to what I consider the baseless claims of the professional sports leagues. Voting against this bill ignores the reality of sports betting today, a reality that has been played out in the headlines of this city in recent weeks with the arrest of 21 area people charged with bookmaking in connection with a multi-million-dollar, Internet-based sports betting operation.

Make no mistake: If you vote against this bill, you are not voting to put a stop to single-event sports gambling, but you are voting to ensure it remains in the shadows, with the money going offshore and to organized crime.

No one knows for sure how much money is bet on single sporting events by Canadians, but we know it is in the billions, perhaps the tens of billions of dollars. Voting against this bill will not change it one bit. The testimony from experts at committee was clear: Single-event sports betting is readily available and widely practised by Canadians.

Many honourable senators are concerned with the impact this bill could have on the incidence of problem gambling. Our committee heard from experts on this, people like Professor Jeffrey Derevensky of McGill University. Professor Derevensky is Director of the International Centre for Youth Gambling Problems and High-Risk Behaviors. We heard from Gary O'Connor, who is the CEO of the Ontario Problem Gambling Research Centre. We heard from Dr. Jon Kelly, the CEO of the Responsible Gambling Council. These are people who do the research. They were dealing in facts, not opinions. What did they tell us?

For one, they told us that single-event sports betting is widely available and commonly practised. Professor Derevensky noted:

Over 80 per cent of adults have reportedly gambled for money, with sports wagering being a popular form of gambling, especially amongst males. . . .

Sports gambling, both regulated and unregulated as well as through illegal venues, remains a popular activity with accessibility generally readily available.

Mr. O'Connor told us:

. . . a lot of commentators and researchers have concluded that the legalization of gambling will have little net effect of the total gambling dollars spent.

What else did they tell us? Well, they agreed that the incidence of problem gambling has stabilized at around 1 per cent of the population in recent years, despite a vast increase in gambling opportunities. Legalized single-event sports betting is unlikely to move those numbers.

In fact, problem gambling is more likely in the illegal environment, where responsible gambling measures are not in place, a fact confirmed by Dr. Kelly when he told us about two studies his organization did in 2001 and 2005. Those studies found that betting with a bookie is much more dangerous in terms of problem gambling. This is what he said:

. . . from my perspective, if it were possible to move people from betting with a bookie — which can be single game betting and also has credit — to more legitimate betting on single games, that would be a benefit to those people betting with a bookie, at least from a problem gambling point of view.

Professor Derevensky said a provincially run sports betting system would be a safer product and would allow easier identification of problem gamblers.

As Mr. O'Connor of the Ontario Problem Gambling Research Centre said:

The advantage is that it would be regulated and easier to build in responsible gambling controls.

Honourable senators, the provinces take their responsibilities seriously. Underage gambling is not permitted. Gambling on credit is not permitted. Some of the proceeds go to prevent and treat problems. That is a stark contrast to the illegal, unregulated environment in which sports bettors are placing their wagers today.

Dr. Kelly of the Responsible Gambling Council told us about what he called Canada's "gambling safety net." About \$117 million a year is invested by health ministries and gaming authorities into problem gambling prevention, treatment and research. That is a drop in the bucket given the revenues from gambling, but I will tell you one thing: It is a lot more than illegal bookies or the offshore sites are spending to deal with problem gambling.

I do not want to minimize the problems caused by gambling in our society, but I do want to ensure things are kept in perspective. The dire social consequences predicted by opponents of this bill simply are not supported by the facts.

• (1430)

For example, we have heard some wild figures about gambling-related suicides, but the Office of the Chief Coroner for Ontario reports the number of suicides with gambling involvement was a total of four in 1998. Preliminary numbers for 2011 show again a total of four. That is four too many, but it is important to note that this is despite a considerable expansion in accessibility to gambling, both domestic and offshore, during that time period.

I think it is fair to conclude that we can limit gambling-related problems by proper prevention, treatment and research programs, but it is hard to identify problem gamblers when their activity is conducted underground. It is hard to fund programs when the proceeds of gambling are going offshore and to organized crime.

When we concede the field to organized crime, we open up a host of other problems.

I would like to point to a submission to our committee from Joe Fotia who served 34 years with the Ontario Provincial Police, much of it spent investigating illegal gambling.

Mr. Fotia writes:

Illegal gaming backed by organized crime leads to other crimes, such as extortion, loan-sharking, assaults, frauds and homicides.

A 2009 study by Peter Ferentzy and Nigel Turner for the Centre for Addiction and Mental Health details the links between gambling and organized crime, citing study after study that confirmed that illegal gambling is a major source of revenue for organized crime and a building block on which working capital was raised to then invest in more legitimate enterprises.

That same study noted that legal sports betting in Nevada accounts for less than 1 per cent of American sports betting. It pointed out the roadblocks to recovery that gamblers face when they spend their money with illegal bookmakers compared to a legal, regulated system. For the gambler in the illegal system, avoiding bodily injury for the nonpayment of debt becomes the top priority, rather than seeking treatment for a psychological problem.

If you think this is the stuff of gangster movies, think again.

As I mentioned earlier, three weeks ago 21 people were arrested in an investigation targeting organized crime in Ontario and Quebec. According to police, the centrepiece of the operation was illegal online gambling on sporting events such as the NFL, the NHL and the Olympics. Millions of dollars were wagered in just six months on the website based in Ottawa. Some of the men arrested in this latest investigation have the same names as those in a 2001 gambling bust in Ottawa of a ring that was believed to be tied to the Rizzuto crime family.

I am not naive enough to believe that moving sports betting into a legal, regulated environment would shut all these guys down, but I do believe it would make a major dent in their operations, and that is the main reason I support this bill.

Honourable senators, I do not want to be accused of misrepresenting the tone of the evidence and submissions to our committee. In my view, the people who have researched this issue provided facts that support the passage of the bill. Other witnesses were strongly opposed but, for the most part, provided opinions rather than facts.

We heard testimony from the Toronto Blue Jays, Major League Baseball and Simon Fraser University, which competes with U.S.-based schools in the NCAA. We also received submissions from the NFL, the NHL and the NBA. These leagues provided strongly worded briefs, all apparently written by the same person, that suggest legalized betting is destructive to the social fabric, a threat to the integrity of sports and damaging to the bonds of trust between sporting organizations and their fans.

This is from Major League Baseball, which looked the other way as steroid-fuelled players rewrote the record book — the same Major League Baseball where the all-time hits leader, Pete Rose, has admitted he bet on 52 games of his own team in a single season. This is from the NHL, which allowed a convicted bookie, Rick Tocchet, to become head coach of the Tampa Bay Lightning. This is the same NHL that allowed the Edmonton Oilers to sign an advertising agreement with Bodog, a gambling website, which included rink board advertising, concourse and other signage and radio spots. This is the same NHL that promotes the PRO-LINE Dash for Cash between periods of Ottawa Senators games. This is from the National Football League that plays games in London, England, a country that has had single-event sports betting for many years.

Incidentally, New England Patriots owner Robert Kraft said a few weeks ago that he wants to see an NFL franchise in London soon, within the next couple of years. This story was widely reported and even carried on the NFL's own website. I would suggest that says something about the sincerity of the NFL's concern: England good, Canada bad.

This same NFL became a laughing stock earlier this year by hiring replacement officials who had reportedly been fired for incompetence by the Lingerie Football League. One of these replacement officials was assigned to a New Orleans Saints game, despite having pictures on his Facebook page of him wearing Saints gear. He was only reassigned on the day of the game after a TV sports network called the league's headquarters about the matter.

It seems to me, honourable senators, that these leagues are doing a pretty good job of threatening the integrity of sports all by themselves.

Let us deal for a minute with their concerns about single-event sports betting. Their view is that betting on a single game versus two or three, which is now legal, has the potential to lead to match fixing. The committee heard testimony that the key to ensuring that matches are not fixed is to monitor players and officials and to have information-sharing agreements with bookmaking operations. If there is unusual activity on a particular game, it will be detected and uncovered. That is what they do in much of the world where sports betting is a fact of life. However, it does not appear to be the case in North America.

Thomas Ostertag, the senior vice-president and general counsel of Major League Baseball, told us that the sport has no information-sharing programs with casinos or betting organizations, including legal offshore or legal bookmakers in Nevada. I find that astonishing and disturbing.

What we have in North America are sports leagues that believe that if they pretend gambling does not exist they do not need to worry about it. Let us get real here. Why do they think newspapers print the point spreads for games?

Meanwhile, a national gambling impact study in the United States, a report completed for the United States Congress, cited estimates for illegal sports gambling at between \$80 billion and \$360 billion a year. That was a few years ago.

This is a huge business. It is underground, and it threatens the integrity of sports because it is illegal and unregulated. The sports leagues will tell you it is not a problem because there have been very few match-fixing scandals. My question to them is how do they know?

Let us look at one of the last big point-shaving scandals. Arizona State in 2004, the team's captain, Steve Smith, one of the best players in college basketball, got into debt with an illegal bookie, and that is what led to the point shaving. It was uncovered by reports from legal casinos in Las Vegas.

• (1440)

What happens in places where they accept that gambling is a reality? The committee heard about the Australian experience from Peter Cohen, the former CEO of the State of Victoria's commission for gambling regulation.

In that Australian state, the regulator ensures that sporting bodies have adequate integrity measures before they can be approved for betting. No one connected with a team can place a bet. There are clear rules on publication of information that could affect the outcome of a game. Sporting organizations can undertake specific integrity checks on individual bettors, and they have access to information about overall betting activity and are notified of any suspicious activity.

I am sure we will hear later in this debate about match fixing in soccer. It is true, particularly in economically depressed countries, in places where players sometimes find that their paycheques bounce. They are subject to incredible pressure, no question about it. However, unlike their counterparts in North America, they are working hard to ensure that enforcement keeps pace with the rapid advances in technology that have changed the global gambling landscape.

I would rather know about the match fixing than pretend it does not exist. We need to open our eyes to the Wild West online gambling environment that is out there. The European Union has done so, and that is why they are seeking a continent-wide set of standards on online gambling to protect consumers.

I know some of you have heard some misinformation about this. You may have heard they are moving away from single-event sports betting. That is not true. Rather than move away from single-event sports betting, the European Union is looking for

ways to make it safer. They want to protect children and other vulnerable groups. They want to deter money laundering, and they want to tackle match fixing with requirements for faster information sharing, procedures to promote whistle-blowing, and more coordination between the regulators, operators and stakeholders. All these things are impossible if sports betting is driven underground.

Honourable senators, I would like to address another criticism that has been levelled against this bill, particularly by an outstanding senator from across the aisle, the critic for Bill C-290, Senator Baker. Senator Baker continues to come back to the argument that, in his opinion, the other place did not properly consider this legislation. There is some merit in his position, and I say "some merit" because the bill did go through the various party caucuses and then second and third reading debate without, as far as we know, any opposition. I asked where those MPs were who now express concern.

**Senator Moore:** Good question.

**Senator Runciman:** It passed third reading on a voice vote, and given the absence of any opposition throughout the process, I would say that is fair. Where the house did not do its job was in committee, where it held a brief less than one-hour hearing, I believe, and failed to call anyone who might have a concern regarding the bill.

How should the Senate react to that house committee's failure? Well, I would suggest not by voting against the bill but by ensuring that this body makes certain that the legislation is appropriately scrutinized and that all interested parties, pro and con, have an opportunity to be heard. I believe we did that in spades. The committee did good work, even extending its hearings to accommodate witnesses critical of the bill. We should be able to move on and deal with the substance of the bill, not the actions or inactions of the other place. That is up to their members to deal with.

I will conclude by addressing another argument, the moral argument, and the belief that we should not encourage an activity such as gambling. There is an argument that we do not legalize drugs and prostitution simply because people want to engage in these activities, so why should we legalize gambling? Honourable senators, that is a false analogy. Gambling is already legal. In fact, sports betting is already legal.

There is no moral distinction between betting on multiple games, known as a "parlay," which is now legal, and betting on a single game. The only difference is that most sports fans know that parlay betting is for suckers because you have very little chance of winning, and that is the reason people are attracted to single-event sports betting and why they will continue to engage in it, whether or not this chamber passes this legislation.

The reality is that we cannot shut down the Internet. They have tried that in the United States with the Unlawful Internet Gambling Enforcement Act.

The money seized under that act is a pittance compared to what is being gambled online by Americans. It is suggested it is over \$1 billion a day according to some estimates.

The U.S. government has gone after some high profile large sites, but many of them simply change their domain name and pop up again. There is some concern that driving the large, well-established offshore gambling sites out of the market puts consumers at more risk of being ripped off by driving their business to smaller fly-by-night operations.

I know there are senators who want to see Canada follow the U.S. example, but the reality is that the Unlawful Internet Gambling Enforcement Act creates the illusion of action without accomplishing very much at all.

Honourable senators, Canadians bet on sports. That is a fact. If we want them to do it in a safe, legal and regulated environment, if we are serious about choking off a revenue source for organized crime and if we believe transparency and regulation will improve the integrity of sports, we should pass this bill.

Thank you very much.

**Hon. Francis William Mahovlich:** I want to congratulate Senator Runciman, on his speech.

I was wondering, if we go back in history, when the White Sox turned to the “Black Sox,” was that one-game or was that a series?

**Senator Runciman:** I am not a sports historian. I did not research that. I certainly have heard of that scandal, but I think it was more than one game. Honourable senators would have to check with an expert in that area.

**Senator Mahovlich:** There was a time in the NHL when they went after a couple of players who were betting on the games. In those days, players never got paid much, and they tried to make some extra money. I do not think that happens anymore. I think the players are well off, and I have not heard that there has been any serious betting in hockey since.

**Senator Runciman:** I agree with the honourable senator. I think the recent scandal that I referenced was with Rick Tocchet when he was with Phoenix and was an assistant coach. It was not only Mr. Tocchet who was acting as a bookie and working with a variety of hockey players and others within the NHL. I think Wayne Gretzky’s wife was also involved in that and had bet something like \$500,000, so that was a significant scandal and does not go back too many years, but that is the only recent one that I can recall.

I think the honourable senator is right about going back to perhaps when he started in hockey and the salaries were very modest, to say the least. That is some of the experience that is occurring in Eastern Europe, in Kazakhstan, in places like that, as I mentioned in my speech, where paycheques bounce. There is enormous pressure on some of those individual players. There is no question about it.

**Hon. Dennis Glen Patterson:** I would like to thank Senator Runciman for his thoughtful speech. He talked about the impact of this bill on gambling. Did the committee hear evidence that the

effect of this bill, rather than reducing illegal gambling, might, in fact, be to expand the amount of gambling overall by attracting new gamblers who have been so far deterred by the illegal character of single sports betting gambling?

• (1450)

**Senator Runciman:** I would not characterize it quite that way, honourable senators. There was certainly an indication, and I believe it may have been Professor Derevensky who predicted there would be some increase in users, if you will, or people engaging in this single-event gambling, but he made a distinction between that and problem gambling. They did not see this having any significant or real impact in terms of increasing problem gambling.

**Senator Patterson:** Honourable senators, since Senator Runciman is concerned and spoke eloquently about the scourge of illegal offshore gambling, would investigating and prosecuting this illegal activity be an alternative strategy for Canada, as has been done in the U.S.A.?

**Senator Runciman:** We do have efforts to police it. I think the RCMP was very much involved in the recent arrests in Ottawa. We have an anti-gambling unit in the OPP. They testified before the committee as well. Their operations are modest. They have a whole host of specialized units in the OPP, for example. There are funding pressures applied to them as well.

I referenced the U.S. experience. One of our senators, I am sure, will raise that during his comments on this bill, but if one looks at the successes with respect to the U.S., in the context of all of the monies being bet in the United States illegally — in the shadows — the monies are, as I described them, a pittance. I do not think one could describe it as a success. I think it is, in my view, more window dressing than really facing up to the reality of the situation.

**Hon. Jacques Demers:** Honourable senators, as Senator Mahovlich said, the players make a lot more money than they used to make, but there are still players making \$800,000 a year who are playing with teammates who are making \$2 million, \$3 million, \$4 million and \$10 million.

Was there not a concern about betting on one game, as was done a few years ago with basketball where the referee fixed a game in the NBA and is now in jail? Is there not a concern that by taking a group of fewer than three games someone might try to fix a game? I am not saying it will not happen. It has happened in the past. There are referees and players who are making less money. I am not trying to be sexist — I am just saying it because I was there — but there are women who want to live the same lifestyle in the same house. They are all together and there is the player’s wife who lives in a \$2-million or \$3-million house. It puts a lot of pressure on the player who is not making that kind of money. Was there any concern about that, that with one game someone would have easier access to fix a game?

**Senator Runciman:** Honourable senators, that point was certainly expressed and essentially primarily by the sports leagues who talked about that being their major concern, focusing on a single game, that it increases the likelihood or the possibility, anyway, of game fixing.

[ Senator Runciman ]

My view on that is that it is happening now. We are talking about probably at least \$10 billion being bet illegally in Canada on an annual basis. I talked to OLG officials yesterday and they feel just in Ontario in the neighbourhood of \$2 billion a year is being bet illegally.

The concern, from my perspective, with respect to this bill and the submissions by the sports leagues, is how do they know? How do they have any comprehension of whether something inappropriate is occurring? They have no information-sharing agreements with anyone who monitors betting activity. This betting is occurring behind the curtains or in the shadows, and they, themselves, are operating in the dark. That is why I think this legislation moves in the right direction, by bringing it into a regulated, transparent environment so that we will be able to detect unusual betting activity. That can be the catalyst for an investigation to determine whether indeed there was any inappropriate betting and fixing of games.

**Hon. Nancy Greene Raine:** Honourable senators, I must say I am a neophyte when it comes to gambling. What I am reading is quite horrifying, to tell the truth. I had no idea that Canada on a per capita basis is number four in the world in terms of its gambling.

I remember when the first lotteries came into being in this country. They came in with the idea of funding sport and the Olympics. Of course, the provinces are all running lotteries now and the money is going to general revenue, as well as to supporting some of their social causes.

The honourable senator mentioned that British Columbia supports this legislation, yet over the weekend I spoke to the Minister of Finance in British Columbia, whom I happened to meet, and I asked him directly, "Have you studied this legislation, are you aware of it, and what is your position on gambling revenue and your budgets?" He said that, frankly, they would never count on gambling revenue for their budgets. It is there, it is part of the budget, but he, as a finance minister, did not feel it was necessary to run a good government counting on gambling revenues.

I suspect it was maybe the B.C. Lottery Corporation that is in the business of lotteries and probably has targets set. If the honourable senator could just answer that and clarify for me, I would appreciate it.

**Senator Runciman:** When I mentioned B.C., I saw the senator turn around, so I thought, "Oh, oh."

Certainly, that is the information I have been provided with, that British Columbia is supportive. I will try to clarify that for the honourable senator, whether it was the lottery corporation or the government itself. I would think that a Crown corporation would not take that kind of a position without having the support of the government, but I would be surprised if that was the case.

**Senator Raine:** I do believe that the discussion has never taken place among the public of British Columbia to decide if British Columbians are in favour of financing their government through

lottery. I know that lottery corporations are run as businesses. They have targets and they operate like a business, and this is a big business.

Frankly, I think the thing that scares all of us is Internet gambling. When I look at what the Americans have done, they have definitely tried to get a handle on that and prevent illegal offshore gambling in some way. They have enacted legislation and, yes, they have confiscated funds. Maybe it is a drop in the bucket, but it certainly looks like a pretty big drop to me. There is no doubt about it, though; the Americans are ranked thirteenth in the world in the per capita gambling rate, so maybe it is having an impact.

The honourable senator mentioned that legalized gambling in Nevada only represents 1 per cent of American gambling, so why do we think that legalizing gambling will actually decrease the amount of gambling? I am very confused about this and I feel that we have not done enough study. I am looking forward to the other speeches on it.

Are we looking at ways of regulating online gambling? For the life of me, I thought that The Sports Network was a sports network, and so many times when I go to this network it has poker being played, sponsored by offshore gambling. The advertising is saying, "Come and gamble with us poker stars," or whatever you call it. Why are we doing this?

**Senator Runciman:** I will just stick to the legislation, honourable senators. The American experience is an indicator of how ineffective their efforts have been. When one looks at the amount of money being gambled in the United States, whether they are eleventh or fourth or whatever the case might be, the reality is that, even with the successes they have had, it is over a billion dollars a day being bet illegally. Senator White can elaborate on this; I think it was over \$700 million. When you look at a billion dollars a day, it is a significant problem in the United States and it is a significant problem here. If we want to get a handle on what is happening, if we want to actually help people who have a problem with gambling, then we have to bring gambling into a regulated and transparent program where assistance is provided. We can identify, recognize and provide the kind of assistance that is necessary to help those people.

• (1500)

I believe there is a strong case that this is the appropriate way to deal with today's reality rather than, as I think the sports leagues are doing, sticking their heads in the sand.

**Hon. Daniel Lang:** Honourable senators, I would like to follow up on the question about the amount of money that is "illegally being gambled at the present time." We have heard over and over again that billions of dollars are being gambled illegally.

Over the course of the testimony to the committee, did the committee have any evidence presented by individuals who have evidence that those numbers are actually being gambled outside of Canada? Did they give substantiation of how that is being done

and by whom? I wonder about where this money is supposed to be. Will the governments receive this money and will we all live happily ever after? I question the accuracy of these numbers quoted by the people who are proponents of the bill.

**Senator Runciman:** I suppose the honourable senator can question them. The numbers I cited were provided by a study that was completed for the United States Congress. The other number I cited was provided by an official of the Ontario Lottery and Gaming Corporation, who indicated that according to their statistics — and I think these are provided through policing agencies — it is in the neighbourhood of \$2 billion illegally bet in Ontario alone.

I believe the \$10-billion figure is based on a study in the United States looking at the population numbers and transposing that into the Canadian environment. The study from the United States was done a number of years ago. I think we know that gaming opportunities have increased significantly over the past 5 or 10 years. Even the numbers we are using for the United States and Canada are probably on the low side of what is actually occurring.

**Hon. Joan Fraser:** Would Senator Runciman take another question?

**Senator Runciman:** Yes.

**Senator Fraser:** At the outset I was greatly attracted by the argument that passage of this bill would bring back some of the people who now are gambling illegally, but there was testimony before the committee that has really stuck with me. That testimony was to the effect that illegal gambling offers, and presumably will continue to offer, we were told, better payoffs, better odds than the legal casinos and lottery corporations ever will. If you can sit at home in front of your computer and get better chances of getting some money back, why would you go down the street to the casino?

What does the honourable senator say to that argument? Why does he believe that passage of this bill would recapture much of that market?

**Senator Runciman:** Honourable senators, I do not think I have ever said it would recapture much of that market and I do not think the witnesses suggested that either. I believe it will put a dent in the monies flowing into illegal organizations and organized crime. How much of a dent we do not know. We do know it is going to help.

There are certainly attractions, I suppose, if you are a committed gambler, to going into an illegal site if it offers better odds and you are permitted to run up a debt on credit. However, I think the average Joe or Jane citizen who wants to place a bet will be more likely to bet in an environment they think the returns will be coming back and it is a safer environment. There is a real attraction to that as well.

I cannot suggest the kind of an impact in terms of a percentage or putting a number to it. I think it will have a real impact in terms of putting a dent in the proceeds that are flowing into the wrong hands today and are funding other operations in which illegal organizations engage.

**Hon. Vernon White:** Honourable senators, I have a question, if I may, for Senator Runciman.

I was not going to speak to the process by which this bill passed through the house, but since the honourable senator did I thought I would ask the question. Could he tell us how many members were in the House of Commons when this bill was passed?

**Senator Runciman:** I do not think that is relevant, but I will give my experience as a legislator for 29 years.

I took a look at the process and the fact that it went through second reading. We have second reading here, where senators would have an opportunity to get up and speak if they have real concerns, and I think they would. No one spoke.

The bill was then referred to committee. I would assume senators have an opportunity to determine if a bill has been referred to committee and make sure they sit in on the committee, make sure they talk to someone who is a member of the committee or talk to the chair of the committee, and that did not happen. The subject went to all party caucuses and we understand no concerns were raised during those caucus periods as well.

In a situation where no objections have been heard, from my experience it is not unusual to deal with a bill in that manner. The fact that the committee did not make any effort on its own to reach out was certainly inappropriate and I think they failed to do their duty. There is no question about that.

At the end of the day, as I said in my comments, I do not believe that that should be a decisive factor for us. That is for the folks in the other place to deal with. If members in any party over there are not happy with the way things were dealt with, they should be dealing with the leadership of their party to ensure it does not occur in the future. However, that should not impact how we deal with the legislation. We have a role to play and I think we have played it very well.

**The Hon. the Speaker:** Senator Runciman's 45 minutes is over. Is the honourable senator requesting five more minutes?

**Some Hon. Senators:** Agreed.

**Senator Runciman:** It seems unanimous.

**Senator White:** Honourable senators, I missed the number of members who were sitting in the House of Commons when the vote was carried out on Friday afternoon.

**Senator Runciman:** There must have been a quorum. That is all I can say.

**Senator White:** If I may suggest, it was fewer than 25.

**Hon. Don Meredith:** Would Senator Runciman take a question?

**Senator Runciman:** Certainly.



**Senator Meredith:** Honourable senators, as a faith leader, I do not condone any type of gambling and I am always looking at the social impacts caused on the lives of families, such as suicide, abuse and broken homes.

What were some of the concerns brought by the witnesses who appeared before the committee with respect to the impacts of this particular legislation?

**Senator Runciman:** Other committee members can take issue with this, but I believe most of the witnesses who dealt in that area were supportive of the legislation. They cannot get a handle on what is going on today because it is all, as I have said before, behind the curtains and in the shadows. It is illegal and it is going on offshore, so they do not know who is engaged in it, what the problems are and how it is impacting families. There are a whole range of social concerns that by and large they are not informed about.

Putting gambling into a regulated, transparent environment will give an opportunity to identify individuals who are having real problems and provide assistance. I am not happy with the amount of money the provinces are devoting to this, but at least they are devoting money and they can be encouraged to devote more to assist individuals and families who are facing challenges. There is no question about that.

We heard testimony from experts in this area who do not believe this legislation will increase the incidence of problem gambling. I think that is the type of individual that the honourable senator and many honourable senators are concerned about.

• (1510)

I am certainly no fan of gambling. I have seen some of the damage that can be done to individuals and families who engage in behaviour that is unfortunate, to say the least. However, I strongly believe that this legislation will improve the situation and provide the tools to, in many instances, provide help that is not available today.

**Senator Meredith:** Did the honourable senator indicate that CAMH appeared before you?

**Senator Runciman:** Yes.

**Senator Meredith:** Are they in support of this legislation?

**Senator Runciman:** I will have to look to some of my colleagues. I cannot recall if they appeared or not.

**Senator Meredith:** I was not at the committee, but my understanding is that they are not in support of this legislation. The honourable senator has seen the strong opposition to this legislation. I know that he is a proponent of this bill and the sponsor of it.

The Ontario Coroner's Office has indicated that suicide rates have increased, and an alarming number of families are being destroyed. A family that used to spend \$10 on general gambling is now putting \$100 on one single game.

How does the honourable senator think we should proceed in face of the strong opposition to this bill?

**Senator Runciman:** I am not sure whether the honourable senator was here while I delivered my speech, but I did reference the Ontario Coroner's Office. According to their statistics, in 1998 there were four suicides attributed to gambling, and the preliminary statistics for 2011 for gambling indicate four suicides. Therefore, to suggest that they are increasing at an alarming rate is not accurate, according to the coroner's office.

I know there are senators who disagree with this legislation for reasons they strongly believe in. I have tried to deal with them in my speech, in private conversations and in committee. I think the legislation will follow the democratic process. Everyone will have an opportunity to be heard and to put their case forward.

I have said to others that I think this will be one of those rare occasions in the Senate where third reading debate will be important and influential in terms of the ultimate outcome. Let us see where the chips fall.

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

#### NATIONAL STRATEGY FOR CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY (CCSVI) BILL

FIFTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE—DEBATE  
CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ogilvie, seconded by the Honourable Senator Wallace, for the adoption of the fifteenth report of the Standing Senate Committee on Social Affairs, Science and Technology (Bill S-204, An Act to establish a national strategy for chronic cerebrospinal venous insufficiency (CCSVI), with a recommendation), presented in the Senate on November 22, 2012.

**Hon. Jane Cordy:** Honourable senators, because yesterday was Wednesday, at four o'clock, as per the rule, I was stopped in mid-question. Would Senator Ogilvie be willing to take some questions today?

**Hon. Kelvin Kenneth Ogilvie:** Unless there is another opportunity to interfere, I certainly will.

**Senator Cordy:** I agreed with the honourable senator's comment yesterday that the passage of Bill S-204 would not provide immediate access to CCSVI surgery. That never was part of Bill S-204. Bill S-204 called for clinical trials, a national strategy for CCSVI, a registry to collect data, and follow-up care. It did not say that we should get CCSVI surgery immediately. I think both of us and the committee would agree that we need scientific evidence.

Senator Ogilvie said yesterday that clinical trials are under way in Canada. The announcement of September 20 said that patient recruitment would begin on November 1 of this year. Has patient recruitment started?

**Senator Ogilvie:** Honourable senators, a clinical trial requires a great deal of preparation, particularly a surgical clinical trial. It is my understanding that, following the approval of a successful bid for a clinical trial, the clinical trial leaders set out to establish the parameters by which the trial could be absolutely successful. That includes a number of steps. One of those steps is identifying a common surgical protocol and a follow-up protocol. I understand that is now complete.

Another step requires ensuring that all of the surgeons, as highly skilled as they already are, will be using the same surgical technique, and I understand that is in progress.

A third critical factor, as the honourable senator would know from our study on clinical trials in the committee, is getting ethics research board approval from all of the sites.

As the honourable senator would know, in the report that is before this chamber and currently held by the honourable senator's side with pending completion, one of the major items identified, with a very strong recommendation, is that Canada move to develop common ethics review board processes so that when a clinical trial is proposed it will make one submission under one general protocol.

It is my understanding, honourable senators, that at the moment two of the four sites involved in this clinical trial have not yet received agreement from their research ethics boards, and the trial cannot proceed to engage patients until that is complete.

**Senator Cordy:** The honourable senator is absolutely right. On September 29, when the minister made the announcement along with Dr. Beaudet from CIHR and Dr. Traboulsee, they said that patient recruitment would begin on November 1 of this year. It has not started. Dr. Traboulsee is hopeful that patient recruitment will start in January. He is not guaranteeing it; he is hopeful. Yet this was the announcement made on September 29.

The honourable senator is absolutely right; two of the sites, Quebec City and Winnipeg, have yet to pass their ethical review boards, despite the announcement made on September 29.

We have had three announcements from the government about clinical trials.

We had an announcement on June 29, 2011, by the minister, three days after I tabled my bill — a coincidence, I am sure. We had another announcement on April 18, 2012. That was break week and the week before Senator Unger spoke on my bill — another coincidence, I guess. We had another announcement by the government and the minister on September 29 of 2012, less than a week before Bill S-204 went before committee — another coincidence, no doubt.

In the September announcement, Minister Aglukkaq announced the clinical trials again by saying that they would be national MS clinical trials. Dr. Traboulsee, who heads the clinical trials, referred to them as pan-Canadian.

The honourable senator and I are both from Nova Scotia. We both represent the people there. Are Nova Scotians who have MS eligible to participate in the clinical trials? In fact, are Atlantic

Canadians eligible to participate in the clinical trials? Are people from Ontario, Alberta, the Northwest Territories or Nunavut eligible to participate in the clinical trials? Are MS patients from any of these areas in Canada eligible to participate in what Minister Aglukkaq referred to as national clinical trials and Dr. Traboulsee referred to as pan-Canadian clinical trials?

**Senator Ogilvie:** Honourable senators, with regard to the implication of delay to which the senator referred over a period of time, I want to again remind my colleagues that setting up a clinical trial is not a trivial process. It is a complicated process to ensure that all of the standards for research and recruitment and proper treatment of patients within the clinical trial go according to the highest standards of the research, that the protocols used will be standardized and so on.

• (1520)

As I have indicated, when that involves a surgical technique for a condition that has not been engaged in previously in any routine way, that requires additional attention to detail, and that takes time, in addition to getting the research board approvals from each of the clinical trial sites. As we have so clearly identified in our previous studies, it is a critical weakness here in Canada that those are not standardized. As we can see in this case, that is adding to the length of time.

I would make another point in this regard. We would not even be this far if the minister had not taken the steps, along with CIHR, to initiate this clinical trial process. We would have to go through all of this in any event.

With regard to the choice of the successful clinical trial, the expert panel put out a call for applications to carry out a clinical trial with the reference data given out in the public document to entertain bids for a clinical trial. The successful bid chosen by the international panel, the one that is currently under way, has four principle sites: one in Vancouver, British Columbia; another in Winnipeg; and two in Quebec. I will not get into an issue of what is "pan-Canadian" at all.

In an attempt to answer the honourable senator's question with regard to Maritimers and others, the trial, as I understand it, will be limited to approximately 100 patients. As we in our committee heard from three of the leading experts with regard to the practice of this particular surgery, they considered that as approximately the right size for a trial in order to be able to carry out, with a thorough research base, an absolute comparison of standardized data.

I am not aware that there is a restriction to any geographic site in Canada for where patients can apply to be chosen by the clinical trial site. It would be my expectation that Canadians who are interested in being part of this trial would have a full opportunity to apply for consideration by those carrying out this clinical trial, regardless of where they are located.

**Senator Cordy:** I did ask Dr. Beaudet when he appeared before the committee whether there would be restrictions and whether MS patients from Atlantic Canada were eligible, and whether MS patients from Ontario were eligible. In fact, he said you have to be within an hour's drive. MS patients from Atlantic Canada are

willing to fly to Poland, they are willing to fly to Mexico, they are willing to fly to the United States, but Dr. Beaudet told me no, they are not eligible to fly to Montreal or to Quebec City or to Winnipeg or to British Columbia to have clinical trials. In fact, the honourable senator's expectation is certainly not what I heard from Dr. Beaudet when he appeared before the committee. Dr. Beaudet, for those who do not know, is head of CIHR. One must be a resident living within one hour of where the clinical trials would take place.

The honourable senator is absolutely right, and no one would disagree with him, that clinical trials are not a trivial process. However, I did not say that patient recruitment would begin on November 1 of this year. The minister said patient recruitment would begin on November 1 of this year.

My next question is on the report on Bill —

**The Hon. the Speaker *pro tempore*:** Honourable senators, before going to the next question, I must advise that the time is up. Are you asking for more time?

**Senator Ogilvie:** I would certainly ask for more time.

**The Hon. the Speaker *pro tempore*:** Is five minutes given, honourable senators?

**Hon. Senators:** Agreed.

**Senator Cordy:** I thank Senator Ogilvie for that.

The report on Bill S-204, which was brought forward by Senator Martin and which was voted in favour by all the Conservative senators and voted against by all the Liberal senators on the committee, states:

Your Committee also shares the concern expressed by proponents of the bill that, in the early stages, some patients were refused medical treatment after having experienced complications resulting from venoplasty performed in other countries. However, it should be noted that provincial health authorities and the colleges of medicine took quick action to ensure that no Canadians would be denied medical treatment.

The Conservative report — because all the Liberals voted against it — says that in the early stages, some patients were refused treatment but now everything is great. When did everything become great and everyone was treated? In other words, when did the so-called early stages of refusal of treatment end? What evidence did we hear that the provinces and the colleges of medicine took quick action?

**Senator Ogilvie:** Thank you for the questions.

With regard to the issue of involvement of patients from other provinces, I certainly would recognize that it would be a real difficulty for patients from certain areas to be able to be even considered for trial, but I interpreted Dr. Beaudet's comments to indicate that if someone were to relocate for the period that is required for the trial, then they would be eligible. However, I will not debate that issue any further.

With regard to the issue of Canadians having access to medical treatment, it is very clear that all of the provincial health ministries and the colleges of physicians took very quick steps to ensure that the very early reports we had were dealt with and that Canadians would have access to medical treatment. For example, the College of Physicians & Surgeons of Alberta stated unequivocally that Alberta physicians have an ethical obligation to provide follow-up care to patients who had the procedure done out of country. This position has been widely adopted. CIHR has been working with the provincial health authorities to ensure that there are no miscommunications with regard to the rights of Canadians to access help.

Honourable senators, I have been following this issue since its beginning because the initial reports fascinated me in terms of what they held as promise, and I am not aware of a single report receiving any public attention for at least a fairly long time. In my mind, that is in a period of two or more years.

**Senator Cordy:** The Conservatives who voted unanimously in the chamber that MS patients not appear before the committee stated that written documents were just as important as the testimony of people who appeared before the committee. I have received a number of written documents saying that MS patients are not receiving follow-up care.

In fact, just last summer, those of us who were paying attention to the MS community and what is going on heard the story of Roxane Garland. Roxane Garland died. In her obituary, her husband wrote:

Rocky would want people to keep on trying to get CCSVI treatment available in Canada and more importantly, the follow up care that she so desperately needed but could not attain.

That was last summer. That was not two years ago. It was not at the beginning. It was last summer.

I had an email this week from someone who was refused treatment in Quebec and who has booked a flight to New York so she can get follow-up treatment.

I had another email this week from someone who stated that they went to their specialist, told the specialist they are travelling outside the country for the treatment, and the specialist told them, "If you get the treatment, I will no longer treat you." Dr. Kirsty Duncan and I are in touch with over 2,000 MS patients across the country.

I would again ask the honourable senator: What testimony did we hear to suggest that all MS patients are receiving follow-up care when they return to Canada?

**Senator Ogilvie:** Honourable senators, in carrying out a highly competent, research-based clinical trial in this country, it is absolutely critical to do several things: to train Canadian surgeons in the technique that is most widely accepted as being the surgical technique for CCSVI and to develop out of that the experience as to how to treat patients who have been treated under this surgery elsewhere.

• (1530)

This is an unusual and difficult surgery with regard to knowing and even having any idea of what the patient received in terms of tourist surgery in other countries in hospitals which are not part of any national standard system. Consequently, a surgeon in this country cannot automatically go in and know exactly what surgery the patient had.

With the clinical trial now authorized, going through the full detail, we will have trained physicians in this country who will be able to advise physicians further across this country in order to be able to meet the needs of MS patients in Canada, honourable senators.

**Senator Cordy:** They are not receiving follow-up care.

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

[*Translation*]

#### INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

##### MOTION TO AUTHORIZE COMMITTEE TO STUDY THE POWERS AND RESPONSIBILITIES OF THE OFFICERS OF PARLIAMENT AND THEIR REPORTING RELATIONSHIPS TO THE TWO HOUSES— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Comeau, seconded by the Honourable Senator Di Nino:

That the Standing Committee on Internal Economy, Budgets and Administration be authorized to examine and report on the powers and responsibilities of the officers of parliament, and their reporting relationships to the two houses; and

That the committee present its final report no later than March 31, 2013;

And on the motion in amendment of the Honourable Senator Tardif, seconded by the Honourable Senator Hubley, that the motion be not now adopted, but that it be amended by replacing the words “Internal Economy, Budgets and Administration” with the words “Rules, Procedures and the Rights of Parliament”.

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, the motion stands in the name of Senator Cools, but as she could not be here today, she asked me to reset the clock and adjourn the debate for the remainder of her time.

(On motion of Senator Carignan, for Senator Cools, debate adjourned.)

[ Senator Ogilvie ]

#### NATIONAL FINANCE

##### MOTION TO AUTHORIZE COMMITTEE TO STUDY TAX CONSEQUENCES OF VARIOUS PUBLIC AND PRIVATE ADVOCACY ACTIVITIES UNDERTAKEN BY CHARITABLE AND NON-CHARITABLE ENTITIES—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Tardif:

That the Standing Senate Committee on National Finance be authorized to examine and report on the tax consequences of various public and private advocacy activities undertaken by charitable and non-charitable entities in Canada and abroad;

That, in conducting such a study, the Committee take particular note of:

- (a) Charitable entities that receive funding from foreign sources;
- (b) Corporate entities that claim business deductions against Canadian taxes owing for their advocacy activities, both in Canada and abroad;
- (c) Educational entities that utilize their charitable status to advocate on behalf of the interests of private entities; and

That the Committee submit its final report to the Senate no later than June 30, 2013, and retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, Senator Eaton has informed me that she will be ready to deliver her speech at the next sitting of the Senate, probably next Tuesday, but since the motion is at day 15, I move the adjournment of the debate in her name.

(On motion of Senator Carignan, for Senator Eaton, debate adjourned.)

#### BANKING, TRADE AND COMMERCE

##### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE “NET BENEFIT” CRITERIA STIPULATED WITHIN THE INVESTMENT CANADA ACT DROPPED FROM THE NOTICE PAPER— SPEAKER’S CLARIFICATION

**Hon. Céline Hervieux-Payette:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to define and report, by way of analyses and expert testimony, on the “net benefit”

criteria stipulated within the *Investment Canada Act* in order to ensure transparency, accountability of the Government and protection of strategic national interest; and

That the committee submit its final report to the Senate no later than March 31, 2013.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, Senator Hervieux-Payette asked that I reset the clock in her name.

[*English*]

**Hon. Gerald J. Comeau:** My understanding is that motions on the Notice Paper must be moved and cannot just be restarted. Could the Speaker advise us on whether it can be continued in this way?

#### SPEAKER'S CLARIFICATION

**The Hon. the Speaker:** Honourable senators, because this is a motion and we only have notice of it, it is not before us. Any action on it would that it be moved. I think Senator Comeau is indicating that someone could move the motion and then take the adjournment of the debate.

**Hon. Gerald J. Comeau:** May I make another suggestion, Your Honour? Senator Hervieux-Payette could resubmit the motion. She would have the complete right to do that.

**The Hon. the Speaker:** To help clarify a bill which has been put to a vote cannot be reintroduced in the same session. This is a motion on notice. If it is not dealt with, the same motion could be reintroduced. This is the distinction.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** I thank the Speaker for his clarification. My honourable colleague is quite right. I will make the suggestion to Senator Hervieux-Payette that she reintroduce the motion, if she so chooses.

[*Translation*]

#### ADJOURNMENT

#### MOTION ADOPTED

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

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, December 4, 2012, at 2 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, December 4, 2012, at 2 p.m.)

## Appendix

(See page 2910.)

**Annex A**  
**Canadian Food Inspection Agency**  
**Field Inspection Staff by Program**

	March 31, 2012	March 31, 2011
<b>Food</b>		
Dairy	152	144
Egg	156	147
Enforcement and Investigation	28	29
Fish and Seafood	319	317
Food - Consumer Protection	53	52
Food Safety (Non Registered Sector)	563	540
Fresh Fruit and Vegetables	209	207
Honey	100	93
Meat	1,727	1,656
Processed Products	173	169
<b>Total Unique in Food</b>	<b>2,660</b>	<b>2,560</b>
<b>Animal</b>		
Animal Health - Aquatic	29	19
Animal Health - Terrestrial	569	558
Enforcement and Investigation	61	61
Feed	227	226
Import / Export (NISC)	71	52
<b>Total Unique in Animal</b>	<b>842</b>	<b>814</b>
<b>Plant</b>		
Crop Inputs (Fertilizer)	124	132
Destination Inspection Service	27	29
Enforcement and Investigation	34	34
Field Crops	254	243
Import / Export (NISC)	99	83
Forestry	149	147
Horticulture	239	239
Plant Health	380	380
<b>Total Unique in Plant</b>	<b>762</b>	<b>756</b>
<b>Total Unique for Agency</b>	<b>3,534</b>	<b>3,502</b>

<b>Notes</b> <b>CFIA Field Inspection Staff Data</b>
<p>Numbers in tables will not add up as many Field Inspection Staff and Inspection Staff perform inspection duties for multiple programs.</p> <p>From year to year and within the year, the number of CFIA's field inspection staff may fluctuate within each program. This is the result of several reasons, mainly:</p> <p><b><u>Turnover</u></b></p> <ul style="list-style-type: none"><li>- field inspection staff leave the Agency</li></ul> <p><b><u>Changes in demand for inspection services.</u></b></p> <ul style="list-style-type: none"><li>- openings and closures of federally registered or licensed establishments</li><li>- shift in demand for inspection services not related to establishments</li></ul> <p>To address these fluctuations, the CFIA engages in recruitment and staffing activities on an ongoing basis.</p>

**Annex B**  
**Canadian Food Inspection Agency**  
**Field Inspection Staff by Commodity**

	March 31, 2012	March 31, 2011
<b>Food</b>		
Dairy	152	144
Egg	156	147
Egg - Processed	66	60
Egg - Shell	138	126
Enforcement and Investigation	28	29
Fish and Seafood	319	317
Food - Consumer Protection	53	52
Food Safety (Non Registered Sector)	563	540
FS - Food Safety	130	127
FS - Food Safety Investigation	125	131
FS - Import / Export (NISC)	171	152
FS - Imported and Manufactured Food	257	251
Fresh Fruit and Vegetables	209	207
Honey	100	93
Meat	1,727	1,656
Meat - Slaughter	1,223	1,220
Slaughter - Beef	256	258
Slaughter - Goats/Sheep	14	15
Slaughter - Horses	19	10
Slaughter - Multi-Species	214	243
Slaughter - Pork	365	361
Slaughter - Poultry	481	469
Meat - Processing	674	606
Processing - Non Ready to Eat	483	427
Processing - Ready to Eat	495	437
Processing - Storage	217	188
Processed Products	173	169
<b>Total Unique in Food</b>	<b>2,660</b>	<b>2,560</b>
<b>Animal</b>		
Animal Health - Aquatic	29	19
Animal Health - Terrestrial	569	558
Enforcement and Investigation	61	61
Feed	227	226
Import / Export (NISC)	71	52
<b>Total Unique in Animal</b>	<b>842</b>	<b>814</b>
<b>Plant</b>		
Crop Inputs (Fertilizer)	124	132
Destination Inspection Service	27	29
Enforcement and Investigation	34	34
Field Crops	254	243



**Annex B**  
**Canadian Food Inspection Agency**  
**Field Inspection Staff by Commodity**

	March 31, 2012	March 31, 2011
FC - Grains and Oil Seeds	80	76
FC - Plant Biosafety	42	44
FC - Plant Breeders Rights	9	10
FC - Seed	190	181
Import / Export (NISC)	99	83
Forestry	149	147
Forestry - Forest Pests	71	70
Forestry - Forest Products	113	110
Horticulture	239	239
Horticulture - Edible Horticulture Crops	87	84
Horticulture - Greenhouse and Nursery	127	126
Horticulture - Potato Cyst Nematode	52	54
Horticulture - Potatoes	130	122
Plant Health	380	380
PH - Invasive Alien Species	42	39
PH - Plant Health	363	366
<b>Total Unique in Plant</b>	<b>762</b>	<b>756</b>
<b>Total Unique for Agency</b>	<b>3,534</b>	<b>3,502</b>

<b>Notes</b> <b>CFIA Field Inspection Staff Data</b>
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