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OFFICIAL REPORT
(HANSARD)

Wednesday, October 8, 2014

The Honourable NOËL A. KINSELLA
Speaker

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

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THE SENATE

Wednesday, October 8, 2014

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

Prayers.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw to your attention the presence in the gallery of Cécile Martin Masse, widow of the late Honourable Marcel Masse, and Jean-Martin Masse, son of the late Honourable Marcel Masse.

On behalf of all honourable senators, I would like to welcome them to the Senate of Canada.

Hon. Senators: Hear, hear.

SENATORS' STATEMENTS

THE LATE HONOURABLE MARCEL MASSE, P.C., O.Q.

Hon. Pierre Claude Nolin: Honourable senators, on August 25, 2014, Canada, and particularly Quebec, lost one of their sons. That day, the Honourable Marcel Masse passed away in Sainte-Agathe-des-Monts surrounded by his loved ones.

He was born in 1936 in Saint-Jean-de-Matha in the Lanaudière region. His first calling was teaching. He earned an education degree and then pursued graduate studies in history in both Montreal and Europe.

From 1962 to 1964, he taught history in Joliette. It was then that Quebec faced one of the greatest periods of upheaval in its history: the Quiet Revolution.

This crisis would disrupt and forever transform the peaceful life of this new teacher, in an incredible turn of events that would greatly benefit his fellow citizens.

In 1966, he began his career in provincial politics. He could not resist the call of duty and decided to run for office in the provincial general election as a member of the Union Nationale. He was elected in the riding of Montcalm and his party formed the government.

His time in provincial politics changed this spirited and ambitious politician. His experience with Quebec intergovernmental affairs piqued his interest in federal politics.

While pursuing a career in the private sector, he attempted to win a federal seat in the riding of Labelle, but was defeated in both the 1974 and 1980 elections. However, he did not lose hope of achieving his goal, and in 1984, when the Right Honourable Brian Mulroney and his Progressive Conservative Party took office with 208 seats, Marcel Masse finally won a seat in the federal riding of Frontenac. He then held various cabinet posts, serving, for example, as Minister of Communications, Minister of Energy, Mines and Resources, and Minister of National Defence. From 1986 to 1990, he served as the Prime Minister's Quebec lieutenant.

During negotiations for the Canada-U.S. free trade agreement, he argued against all measures that failed to recognize Canada's cultural sovereignty. We owe the Canadian cultural exemption to him.

In 1993, he decided not to stand for re-election. That was in the days of the Meech Lake accord, which failed in 1990, and when Quebec was about to weather another dramatic constitutional episode.

The Honourable Marcel Masse was an honorary citizen of the city of Royan, France, a Commander of the Ordre de la Pléiade, an Officer of the National Order of Quebec, an Officer of France's Legion of Honour and a Commander of the Ordre des Palmes Académiques.

In writing this tribute to a friend, I was constantly reminded of a televised biography of Theodore Roosevelt recently broadcast by PBS. The man who was to become one of the greatest American presidents achieved his ambitions through determination and courage. A sickly child with a feeble constitution, doctors said he would live a short life, as long as it was quiet and protected. I'm sure you can see the similarity, as I did.

Determined and courageous, Marcel Masse stood up to those who saw him as nothing but a traitor. His time at National Defence was telling in that respect.

Thanks in large part to his training as a historian, Marcel Masse understood what motivated Sir George-Étienne Cartier during the negotiations for Canada's federal union.

Underlying that governance structure was not the static and unchanging state that many would have it be to this day, but a modern and progressive state, a state unafraid of its divergent elements, a state able to capitalize on its differences. That's what Marcel Masse understood, and he decided to be part of that progress, progress that would give French Canadians, and Quebecers in particular, the freedom they need to flourish.

Like the Speaker, I would like to acknowledge his wife, Cécile, and other members of the Honourable Marcel Masse's family, especially his son, Jean-Martin.

Thank you.

Hon. Senators: Hear, hear.

• (1340)

FIRE PREVENTION WEEK

Hon. Fernand Robichaud: Honourable senators, from October 5 to 11, the entire country will be observing Fire Prevention Week. It is a special opportunity to teach people about the risks associated with fires and the steps that can be taken to prevent them. It is also an opportunity to help people understand how to respond when there is a fire.

Each year, nearly 3,000 people perish in fires, primarily house fires. The vast majority of those fires can be avoided simply by installing smoke detectors and checking them regularly to ensure they are working.

Many fire stations in our municipalities and towns are taking advantage of Fire Prevention Week to inform people of the many ways to prevent fires.

Activities are being held in public spaces or workplaces. Schools are being invited to take the children to look at the fire trucks and see equipment demonstrations. People are being reminded to have their chimney swept before the cold winter weather hits, to ensure that their smoke detectors are working, and to install a carbon monoxide detector if they use a heat source that burns fuel or natural gas. We cannot stress enough how important it is to use care in the kitchen.

Firefighters are also providing guidelines for lighting fires outside. In rural areas in particular, firefighters are often called to respond to brush fires. They are also offering safety tips on the use of candles during power outages.

Fire services in institutions are developing and reviewing evacuation plans and are even conducting fire drills in schools and hospitals to teach staff how to conduct evacuations, thus ensuring the safety of patients and students.

Fire Prevention Week is perhaps also an opportunity to highlight how important it is for our small rural communities to be able to count on the many volunteers that make up their fire departments and fire prevention services.

It is the community engagement of these men and women that allows us to lead safer lives, knowing that, in the event of a fire, we can count on their courage and commitment.

LE COLLÈGE SAINT-JOSEPH DE MEMRAMCOOK

ONE HUNDRED AND FIFTIETH ANNIVERSARY

Hon. Rose-May Poirier: Honourable senators, I rise today to draw your attention to the importance of the Collège Saint-Joseph de Memramcook to Acadia, on the occasion of the college's one hundred fiftieth anniversary.

Anytime we talk about post-secondary education in Acadia, whether referring to the college or the Université de Moncton, the starting point is always the Collège Saint-Joseph de Memramcook. Built on the foundations of the Séminaire Saint-Thomas in Memramcook, the Collège Saint-Joseph welcomed its first students in October 1864.

Founded by Father Camille Lefebvre of the Congrégation de Sainte-Croix, the college earned the title of university in 1888 and was officially recognized by Oxford University in 1906. Beginning in 1963, now recognized as Université de Saint-Joseph, the institution again took its title as a college and became affiliated with the Université de Moncton.

The college was a cornerstone of the Université de Moncton, which was, and remains to this day, at the heart of the Canadian movement. Keeping in mind that the World Acadian Congress was held earlier this year, it is important to note that the first National Acadian Convention took place at Collège Saint-Joseph in 1881. Some 5,000 Acadians took part in the convention, and August 15, the Feast of the Assumption of the Virgin Mary, was adopted as National Acadian Day.

Collège Saint-Joseph is the symbol of a new beginning for Acadia, which is determined to take charge of its own destiny. The college's mission was to make leaders out of us, leaders who would be able to help the Acadian people come out of the woods, take responsibility, defend the rights of Acadians and work in partnership with other cultures to build a better world for everyone.

In successfully doing so, the college broadened Acadia's horizons, making it possible for Acadians to take their rightful place in Canadian society today. Whether we are talking about business leaders, health professionals, artists, intellectuals, engineers or so on, today's Acadia represents the achievement of the college's mission. However, there is still work to be done to secure our position and expand it even further.

On the solid foundation built by the college and with Acadian determination, I am certain that we will continue to make progress in this world. Honourable senators, that is how the first post-secondary school came to be in Acadia on "Butte à Pétard," in Memramcook.

In the meantime, the college has become the Lefebvre Monument and was designated a national historic site by the Parks Canada Agency, which recognizes this site as a symbol of Acadian renaissance. Join me, honourable senators, in wishing Acadians well as they celebrate the one hundred fiftieth anniversary of Collège Saint-Joseph.

[English]

[Translation]

ROUTINE PROCEEDINGS

YUKON ENVIRONMENTAL AND SOCIO-ECONOMIC
ASSESSMENT ACT NUNAVUT WATERS AND
NUNAVUT SURFACE RIGHTS
TRIBUNAL ACTBILL TO AMEND—SIXTH REPORT OF ENERGY, THE
ENVIRONMENT AND NATURAL RESOURCES
COMMITTEE PRESENTED

Hon. Richard Neufeld, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Wednesday, October 8, 2014

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

SIXTH REPORT

Your committee, to which was referred Bill S-6, An Act to amend the Yukon Environmental and Socio-economic Assessment Act and the Nunavut Waters and Nunavut Surface Rights Tribunal Act, has, in obedience to the order of reference of Tuesday, June 17, 2014, examined the said Bill and now reports the same without amendment but with certain observations, which are appended to this report.

Respectfully submitted,

RICHARD NEUFELD
Chair

(For text of observations, see today's Journals of the Senate, p. 1241.)

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

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

ADJOURNMENT

NOTICE OF MOTION

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I give notice that at the next sitting I will move:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, October 21, 2014 at 2 p.m.

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

MEETING OF THE STANDING COMMITTEE OF
PARLIAMENTARIANS OF THE ARCTIC
REGION, JUNE 10-11, 2014—
REPORT TABLED

Hon. Michel Rivard: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Europe Parliamentary Association respecting its participation at the Meeting of the Standing Committee of Parliamentarians of the Arctic Region, held in Copenhagen, Denmark, on June 10-11, 2014.

• (1350)

QUESTION PERIOD

CITIZENSHIP AND IMMIGRATION

FRANCOPHONE IMMIGRATION

Hon. Maria Chaput: My question is for the Leader of the Government in the Senate and concerns the annual report of the Commissioner of Official Languages.

Leader, on September 23, I spoke to you about the Minister of Citizenship and Immigration's decision to cut the Francophone Significant Benefit program. This budget cut was in addition to the fact that francophones in minority communities could no longer obtain funding to participate in the Destination Canada 2014 job fair in France and Belgium to recruit francophone immigrants.

You surely know that the Commissioner of Official Languages has outlined his concerns regarding the Department of Citizenship and Immigration in the report he just tabled. Specifically, the Commissioner states that the department:

... had not consulted French-speaking communities or taken their specific circumstances into account when it decided to reduce its operating expenditures.

According to the Commissioner, because of this decision:

... some community representatives could not attend Destination Canada in 2012. Their presence at an event like this is important, because they are in a unique position to attract French-speaking immigrants.

The Commissioner of Official Languages recommended that the Department of Citizenship and Immigration establish mechanisms to assess the impact of its decisions on official-language communities and also consult with the French-speaking communities taking part in Destination Canada to determine whether the new formula that was implemented could adversely affect the development of those communities.

Leader, my question is as follows: Can we expect to see a change in culture at Citizenship and Immigration Canada? Will your government promise to truly consult before making decisions? Finally, will it take into consideration the Commissioner of Official Languages' recommendations?

Hon. Claude Carignan (Leader of the Government): Thank you for your question, senator. As I said yesterday, we thank the Commissioner of Official Languages for his report. As you know, the changes the government recently made to the francophone Temporary Foreign Worker Program will ensure that available jobs are first offered to Canadians. The primary objective of these changes was to ensure that our programs are coherent. That is why the exception under the Francophone Significant Benefit Program was eliminated as of September 30. In 2013, the number of francophone newcomers who came to Canada under this program was less than 1 per cent of the total number of foreign workers in Canada. Accordingly, the government will obviously continue to promote francophone immigration through this program and through other permanent immigration programs. Some immigration applications will be processed in six months or less as part of the Express Entry program.

As you also know, as part of the Roadmap for Canada's Official Languages 2013-2018, which focuses on education, immigration and communities, Citizenship and Immigration Canada has invested \$29.4 million to support official-language minority communities. The Government of Canada is funding 13 francophone immigration networks across the country, except in Quebec and Nunavut. These networks bring together key stakeholders with the goal of working together to increase francophone immigration in the targeted communities. Recently, Minister Alexander committed to holding consultations to find ways of attracting the best and brightest francophones to help us meet our labour needs.

Senator Chaput: I have a supplementary question. Since the minister is holding consultations, leader, could you provide us with the details, namely when these consultations will be held and who in the communities across Canada will be consulted? Could you get back to me with an answer, please?

Senator Carignan: As you know, the minister holds ongoing consultations with people working in citizenship and immigration, including francophone immigration, and will continue to be in contact with them. As for more specific methods or aspects of the process other than those I just mentioned, I will check and get back to you.

Senator Chaput: Leader, if the minister indeed holds ongoing consultations with the communities and the groups working in immigration, do those ongoing consultations include discussions

on how the department's programs and its decisions can be made without taking into account the unique realities of official-language minority communities?

If there are ongoing consultations and discussions, then I don't understand how certain programs can be cancelled, when those programs address the unique realities of the communities. By cancelling those programs, the government is no longer helping meet specific needs and is not complying with Part 7 of the Official Languages Act. Can you explain to me how the minister can be in constant contact and, at the same time, not get the message that these communities need these programs to continue developing and to encourage francophone immigration?

Senator Carignan: In 2013, the number of francophones who came to Canada under this program represented less than 1 per cent of the total number of foreign workers in Canada. With respect to francophone immigrants, the government continues, and will continue, to promote immigration through permanent immigration programs. It will continue to do so through the Express Entry system, which I believe to be an appropriate means of promoting francophone immigration.

Senator Chaput: If indeed the number of francophone immigrants decreased in 2013, could one of the reasons be, precisely, that the Destination Canada program was cancelled and in 2012 francophone communities were unable to participate and thus help the government recruit immigrants from francophone countries?

Senator Carignan: I did not say that francophone immigration had declined. I said that newcomers under the program you mentioned added up to less than 1 per cent of the total number of foreign workers in Canada and that we would continue, under the roadmap, to make investments to support official-language minority communities, in particular by investing \$29.4 million from Citizenship and Immigration Canada.

Senator Chaput: Leader, we acknowledge the funds from the roadmap and the monies spent by the Department of Citizenship and Immigration. Our concern is that these monies should be properly spent on specific needs so that they have the impact that you want and that we want as well. That is why I asked these questions today, and I hope that you will make inquiries and provide the answers to these questions.

Senator Carignan: Senator, I believe that we both have the same objective and that we want to ensure that French-speaking immigrants come to Canada.

• (1400)

Indeed, that is why the government is funding 13 francophone immigration networks all across the country and why Minister Alexander has committed to holding consultations to find ways of attracting bright, talented francophones who will meet our labour needs.

Senator Chaput: I am sure we share the same goal. However, while you say that the minister is in constant contact with the stakeholders and that he is consulting them on specific issues, can you assure me that the 13 francophone immigration networks across the country are being consulted properly and that the government is listening to what they are saying?

Senator Carignan: I do not intend to start listing once again all of the people who have been consulted, the number of times they were consulted, or the issues they were consulted about. I am telling you that the government is listening to Canadians and is attuned to their needs to the point where it has invested, under the official languages roadmap, some of the largest amounts ever invested in Canada's history in francophone immigration and the development of francophone minority communities, and it will continue to do so.

Hon. Jean-Claude Rivest: I would like to add a comment about this question. Couldn't the Government of Canada develop something like the particular program that is working for the Government of Quebec? The results that it has achieved in attracting francophone immigrants have been vital to a vibrant and productive Quebec society. Why couldn't all the programs that the Leader of the Government in the Senate has mentioned regarding the Canadian francophonie be based on that model, which involves finding and welcoming francophone immigrants according to qualification and merit?

The minister and the government should go on the record as saying loud and clear that francophone immigration is vital to the survival of the Canadian and Quebec francophonie. That is a concern for our colleague and for everyone in this chamber. It seems to me that the government should be setting up more vibrant and creative programs rather than continuing with the existing programs year in and year out. We need to shake things up and make major changes. The Leader of the Government in the Senate is certainly aware of that, and I would like to ask him to inform the government authorities of the concerns expressed by Canadian francophonie representatives in this regard.

Senator Carignan: I can always inform them, but I can tell you now that they are aware of the state of francophone immigration, particularly in minority communities. That's why significant amounts of money are being invested in supporting official-language minority communities. The government is funding 13 francophone immigration networks across the country to promote francophone immigration.

INDUSTRY

SALE OF SUN MEDIA ENGLISH NEWSPAPERS TO POSTMEDIA

Hon. Céline Hervieux-Payette: My question is for the Leader of the Government in the Senate. We recently learned that Quebecor sold its English-language media, known as Sun Media, to Postmedia Network Canada. *The Globe and Mail* — much reviled on the other side — confirmed that this sale was funded in large part by American investors, including a fund called Golden Tree, based in New York, which has 21 billion shares.

I have a two-part question. How does the government plan to make sure that the public interest is not undermined by the concentration of ownership of English-language media, and how will it ensure that these same media — we're talking about more than 150 — don't end up influenced by foreign interests, which would certainly not be in the interests of Canadians?

Hon. Claude Carignan (Leader of the Government): Thank you for your question. Normally we don't comment on decisions made by private companies, but we understand that the Competition Bureau will examine this transaction and will wait to see the outcome of this independent process. Companies have 30 days to request a review pursuant to the Foreign Investment Act. At that point, it will be determined whether the proposed transaction is subject to the act, after the transaction has been properly reviewed.

Senator Hervieux-Payette: I'm not particularly reassured by your response, because I know very few countries where the vast majority of the media outlets are owned by another country. We should be very concerned by both the concentration of ownership and the fact that this is the second share acquisition or investment made by this New York group.

There is another aspect to this transaction. We know that Quebecor's majority shareholder is the new separatist member of Quebec's National Assembly, Pierre Karl Péladeau, who is currently the subject of a motion before the National Assembly calling on him to sell off his majority control of Quebecor, which he does not want to do. For my colleagues who are not from Quebec, during the provincial election campaign, Pierre Karl Péladeau said that his membership in the Parti Québécois reflected his deepest and most personal values, which had to do with making Quebec its own country. If we are to believe the analysts, Prime Minister Stephen Harper is on the verge of selling parts of the wireless spectrum to Quebecor. Imagine if a telecommunications company present throughout English Canada were owned and controlled by someone whose goal is to break apart Canada and who wants to lead the Parti Québécois.

Given that Americans could have significant influence on Canada's print media, do you think that the Prime Minister, and the CRTC, can continue down this road and allow someone whose goal is to divide Canada to become a competitor of major Canadian companies such as Bell, Telus and Rogers?

Senator Mockler: Don't forget about the Association du Bloc québécois.

Senator Carignan: I'm having a hard time following you. I thought your question was about the Government of Quebec, which would have involved the National Assembly, and now you're saying that a separatist cannot own a company in Canada. I don't know if you understand the implications of what you are saying. That said, with respect to enforcing the Investment Canada Act, if it applies, it will be determined whether the proposed transaction is subject to that legislation. The transaction will be properly reviewed.

Senator Hervieux-Payette: I think we're getting our wires crossed. You and I know that hearings are held and directives are given. Recently, the Prime Minister intervened in certain matters before the CRTC concluded its hearings. There is discretion when it comes to the media. I am asking you whether you think the government should authorize a company, whose CEO is openly seeking Quebec's separation, to acquire a Canada-wide telecommunications network. This is not a matter of foreign investment. I hope you understand what I mean. This is a question of giving control of a Canadian network to people who want to separate from Canada.

Senator Carignan: Listen, he already has control. I don't follow. It can't be an American, it can't be a separatist, and the list goes on.

• (1410)

I'm having a hard time following you. What do you want to do with the company? Anyway, this issue is outside the realm of government business. As I said, under the Investment Canada Act, there will be due diligence on the transaction.

[English]

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, the competition authorities will, I trust, be examining the Sun Media-Postmedia transaction, but there is a massive problem. The competition authorities look only at the impact of mergers in the media on advertising markets. They do not look at the impact of mergers on news, but if the news media matter it's not because of their advertising sales; it's because they are the principal vehicle to ensure the diversity of voices and opinion upon which a democracy depends.

Senator Tkachuk: Maybe we should sell *The Globe and Mail*, then.

Senator Fraser: I'm glad people are interested in this subject. Will the government undertake to change the necessary law and, in the meantime, to instruct the necessary authorities so that when they judge these transactions, they are required to take into account the public interest in the diversity of voices in our democracy?

[Translation]

Senator Carignan: Senator, there will be a decision on whether the transaction is subject to the Investment Canada Act, in which case it will be examined pursuant to the Act.

[English]

Senator Fraser: I will take that answer as a no. Very distressing.

Even today, the fact is that newspapers, in the dire straits in which many of them find themselves, are the principal source of news in our democracy. Even after all the thousands of layoffs, they are still where most of the journalists work. They are still a vital element of our society.

People say, "Look at the Internet; the Internet is replacing newspapers." Well, it is doing so very effectively in the advertising market, but less so in the provision of news. If you look, for example, at the news aggregator sites, what they're usually aggregating is material from newspapers.

I ask again, what will the government do? If it's not prepared to look at the Competition Act, will it at the very least look at the Broadcasting Act and do as it has done in other cases, as my colleague pointed out, and intervene before the CRTC to say, "This has to be your guiding principle?" Unfortunately, the CRTC has minimal influence over print, so I would ask again, despite your evasive answer to my last question, if you would also please look at the Competition Act.

Some Hon. Senators: Hear, hear.

[Translation]

Senator Carignan: As I said earlier, we don't comment on transactions between private companies. The Competition Bureau will examine the transaction. We will wait for the results of that process, which is an independent process, as you know. Under the Investment Canada Act, in the case of an American hedge fund purchase, companies have 30 days to submit a request. If they think that the Investment Canada Act applies, there will be a decision on whether the proposed transaction falls under the act once the transaction has been reviewed.

[English]

FISHERIES AND OCEANS COMMITTEE

WORK OF COMMITTEE

Hon. George Baker: Honourable senators, my question concerns the very important work that our committees do in this chamber. It will, of course, be to the chairman of a committee of the Senate. I hope to ask two questions today, one to the Chair of the Fisheries Committee and the other to the Chair of the Energy Committee. I don't imagine we'll have time, so I'll ask at least one question of the Chair of the Fisheries Committee.

Let me preface it by saying that I attended a very interesting meeting yesterday of this committee, chaired ably by Senator Stewart Olsen. Also in attendance was Senator Nancy Ruth, who represents the area of Georgian Bay where there is a very serious pollution problem.

Now, the hearings of the committee involved a long-standing investigation by the Fisheries Committee of the Senate into aquaculture, and they have gone completely throughout this country and to other parts of the world investigating this.

I want to ask the Chair of the Fisheries Committee about the activities of this very important operation that the committee is conducting. Could he bring the Senate up to date on this very important work?

Some Hon. Senators: Hear, hear!

Hon. Fabian Manning: I thank the honourable senator for his question. It's kind of a surreal experience, to preface my remarks. Back in the fall of 1974, when I was 10 years old, CBC was the only channel we had in my small fishing community of St. Bride's, Newfoundland, and it was with great interest I watched the member opposite ask a question in the House of Commons. I was 10 years old at the time. I was interested in politics at that time and today, 40 years later, he's here asking me a question in the Senate of Canada. Needless to say, it takes time to get things to come around, but they are coming around.

I'd like to say a Newfoundland saying. If you look back at our history and the representation of Senator Baker for the past 40 years here in Ottawa, he's kind of a maverick in Newfoundland and a dean of the Parliament here. He would convince you, if you allowed him to, that he chased the fish factory freezer trawlers off the Grand Banks of Newfoundland by himself. However, honourable senators, we all know there's a great Newfoundland saying that you can be a legend in your own mind. It works very well. He certainly played a part in doing that, there's no doubt, in highlighting that major concern.

Now, if I can get to the question, the Fisheries Committee is undergoing a very serious study of the aquaculture industry in Canada, an industry that we believe has great potential in Canada. It's underutilized in many places. It's happening in every province in Canada. We started our study and, as a matter of fact, the first witnesses we had were in February of this year. Our committee has received witnesses from right across the country. We had the opportunity back in March to travel to British Columbia and see first-hand the activities on the West Coast of Canada. In May, we also had the opportunity to travel to Newfoundland and Labrador and to Nova Scotia and see the activities and potential in that part of our country.

Just a few weeks ago, in early September, members of the committee travelled to Norway and Scotland, and we all know of the story that happened over there with Senator Hubley. I spoke to Senator Hubley yesterday and wanted, on behalf of all committee members, to wish her well in her recovery. We look forward to having her back among us in the Senate. She's a great addition to our Senate committee. We are in the process now of arranging a trip to Prince Edward Island, New Brunswick and Quebec in November.

We believe, as I said before, there's a great opportunity for aquaculture in Canada. We have received presentations from pretty well every provincial government across the country, people involved in the aquaculture industry themselves. We had the opportunity to visit many of the sites and to see first-hand the activities and the potential. I keep using the word "potential" because I believe that we're only scratching the surface of aquaculture in Canada. Our committee hopes to bring forward recommendations that will enhance that industry in our country.

As an example, aquaculture is very important in Canada, and we don't have an aquaculture act, which is being brought forward in our discussions by many people involved in the industry. Right now, between the provincial, territorial and federal regulations, if you want to get involved in the aquaculture industry in Canada today, there are over 70 pieces of rules and regulations with which you have to comply. It's very confusing. We believe it's a block toward future development in the aquaculture industry.

As I say, we have received presentations from many organizations across the country, and we will continue to do so. If all goes well — and you never know — we hope to be able to present the report here to the Senate by June 30 of next year.

I want to take the opportunity to thank all the members of the committee — because members serve on several committees here — for their time and effort in the Fisheries Committee. We hope to bring recommendations forward that will enhance, improve and create employment opportunities in aquaculture in Canada.

Thank you very much.

Hon. Senators: Hear, hear!

Senator Cowan: Now that was an answer! Just try it.

• (1420)

ORDERS OF THE DAY

CRIMINAL CODE

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT NEGATIVED

On the Order:

Resuming debate on the motion of the Honourable Senator White, seconded by the Honourable Senator Dagenais, for the third reading of Bill C-10, An Act to amend the Criminal Code (trafficking in contraband tobacco);

And on the motion in amendment of the Honourable Senator Cordy, seconded by the Honourable Senator Campbell, that Bill C-10 be not now read a third time, but that it be amended, on page 2,

(a) by replacing line 38 with the following:

“4. (1) This Act comes into force on a day to be”; and

(b) by adding after line 39 the following:

“(2) No order may be made under subsection (1) unless the Government of Canada has consulted with representatives of the Aboriginal peoples of Canada and accommodated their views in respect of the tobacco trade and the implementation of this Act.”

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

Hon. Senators: Question!

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

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker: Those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

Senator Fraser: On division.

(Motion in amendment negated, on division.)

The Hon. the Speaker: The question before the house is on the main motion. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

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

[Translation]

AVIATION INDUSTRY INDEMNITY ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Fortin-Duplessis, for the second reading of Bill C-3, An Act to enact the Aviation Industry

Indemnity Act, to amend the Aeronautics Act, the Canada Marine Act, the Marine Liability Act and the Canada Shipping Act, 2001 and to make consequential amendments to other Acts.

Hon. Grant Mitchell: Honourable senators, it is an honour for me to speak to this bill, whose short title is the Safeguarding Canada’s Seas and Skies Act.

The bill has a number of positive aspects. However, I must say, it also has some negative aspects. I will not talk about the bill in great detail. Our colleague, Senator Housakos, gave an excellent, detailed description of the bill. He described every important point. However, he did not explain the negative aspects.

The bill has a number of positive aspects, and I will begin with those.

[English]

The bill does a number of things that are good, and it does a number of things that aren’t so good. There are some questions. By and large, the problem with the bill would be that it’s not very broad.

[Translation]

Its scope is rather narrow and its impact will be rather limited.

[English]

To call it the “Safeguarding Canada’s Seas and Skies Act” is hyperbolic. It’s bigger than it deserves and it’s not actually doing much to do that. However, to the extent that it does address some issues about safety in seas and skies, it is useful. So let me say what’s useful about it.

It does clarify and implement certain funding provisions that have arisen under international conventions with respect to covering damages that can be caused by oil spills, and spills of toxic and noxious products that are transported by sea. It actually sets up the provisions under which companies and government will fund an international fund. It also sets up a national Canadian fund that will supplement the funding that would come from that international fund. That’s good.

It clarifies and broadens the application of the military’s ability to investigate aeronautical or aeronautically related accidents that involve not just the military but also civilians. This has become an increasingly large issue, because more and more the military is contracting to utilize civilian organizations to assist them in the work they do. It was complicated in that if there were an accident and a military authority were to investigate it, it could become a difficulty were it to involve civilian actors. So that’s clarified, and that’s great.

It also formalizes what was being done on an informal basis, namely, government indemnification of airlines for risks that are termed “war risks,” which wouldn’t be covered by insurers. Largely since 9/11, as one could imagine, that would become a problem for insurers. So that’s a good thing.

I should point out that this provision is actually a recommendation in the *Moving Energy Safely* report of the Standing Senate Committee on Energy, the Environment and Natural Resources. It's not uncommon, of course. As we all know in this place — and if we were televised, people all across the country would know — that governments actually accept our recommendations.

It accepts this recommendation — at least it embodies this recommendation — in that it extends immunity from liability to responders, the organizations with equipment that respond to oil spills. Interestingly, right now, a Canadian company or a Canadian responder is indemnified or immune from liability if they respond to an oil spill from a ship. That makes perfect sense. They go in, they take risks and things could go wrong. But if they weren't there, it would be much worse. So that's been in place for a long time.

But foreign responders who might come into our waters to assist with a spill wouldn't be indemnified and haven't been indemnified in that respect. That, as we found in our study in the Energy and Environment Committee, is a problem, particularly the further north you go towards Alaska and the further south you go towards the United States, because there is a good deal of overlap and cooperation between the two countries and our responders to oil-spill cleanups.

• (1430)

It also extends that immunity to foreign responders.

There's also another gap, and that was that spills that occurred at loading facilities were not covered by this immunity, even for Canadian responders, even for Canadian cleanup crews and agencies. Now that immunity is provided in that case for both foreign and Canadian responders. That's a great thing, and it's particularly interesting and informative because it responds to a recommendation by one of our committees, the great Committee on Energy and the Environment.

This bill increases the penalties that can be levied against companies that undertake a variety of infractions with respect to carrying or transporting dangerous goods of various kinds and with respect to the way they report. In fact, they can be fined as much as \$1 million. Imprisonment has been increased to 18 months from, I think, about a year maximum. Other fines for lesser offences have been increased to \$100,000. All of that is good, and in fact it will underscore and enhance the ability of inspectors to do their inspections with some authority and some impact.

There are, therefore, these five or six very positive things about this bill that are recommended.

On the other hand, there are some negative things, or at least some questions that I think are left unanswered by the bill.

One of those questions is whether the inspection process and the cleanup process will be properly funded, and that remains a question, given this government's inclination to cut many of these

kinds of services. Will we have enough inspectors, and will they have the resources to do what they need to do to make sure that the kinds of provisions that do keep our skies and our seas safe are inspected adequately and properly?

The bill doesn't provide for an audit of safety culture in these industries. The audit with respect to shipping is not as important because there is a good deal of rigour in the way that ships are inspected before they're ever allowed to enter our waters, and there's a broad international consensus and consistent action on that kind of thing. But when it comes to rail transportation, for example, or trucking transportation, those kinds of terms, safety audits are not part of the government's process or the audit of safety culture and, in fact, it is entirely possible to do that now. The technology exists; the knowledge base exists.

I think the biggest gap in this study is the fact that while it accepts one of our five recommendations on tanker safety, it doesn't address the other four. One that I've just mentioned is the idea of safety culture. It also doesn't talk about the need to expand and modernize the database to provide detailed information on ship-sourced spills. That was a recommendation of the Energy and Environment Committee.

It doesn't address — and this is very important — the problem of capacity of spill responders. Right now, in Canada, the spill response organizations need to have a capacity where they can, within 72 hours, pick up 10,000 tonnes of a spilled fluid. In the U.S., that's 26,000 tonnes, and it would make eminent sense to have Canada's standard at the same level. In fact, it would be a great time to be thinking about that as we try to build social licence so that pipelines to the West Coast that would be shipping product to new markets could, in fact, be more justifiable in the public's mind. If we could say that we don't just have a 10,000-tonne limit, we have a 26,000-tonne limit, which is a new international standard, at least an American standard, it could be reassuring to Canadians, and to Americans, for that matter, with respect to the XL pipeline.

There is some concern about the Canadian Coast Guard's mandated spill preparedness and response capabilities, that they should be certified by Transport Canada or by some other arm's-length agency periodically. Not to take anything away from Canada's Coast Guard, which provides great service to Canadians — and to people other than Canadians, for that matter — as they enter our waters, but the fact is there is no reassurance that their preparedness and their certification are being monitored adequately and frequently enough and re-certified. That's another recommendation that we made.

This is a controversial issue, and perhaps that would explain why the government didn't embrace it in this piece of legislation, but it's also a very important issue. Responders will tell you that often they are confronted with this dilemma. They can't contain the spill entirely. They can see that it's drifting to somewhere where it will do real damage — a shoreline, a fishery, a bird habitat of some kind — but they're not allowed to use dispersants, which are a chemical solution that breaks up the oil and allows it to evaporate or disperse more quickly, and they're

not allowed to burn it. That's an issue that we recommended should be considered, and while I wouldn't necessarily expect it to be in this bill, I would hope that the government is considering it.

It has environmental implications, of course, because you're burning and emitting as a result but, on balance, the argument can certainly be made that where there is an immediate, pressing danger of real damage by a drifting, uncontainable spill, use of dispersants or even burning could be justified, and it's not as though these agents and responders are frivolous about that. When they raised that with the committee, they were very, very serious. They understood the implications and so on, and they know that they would have to be very careful about using that.

The other big gap in this report is that it really doesn't deal with rail transport and safety. When they talk about seas and skies, yes, okay, it addresses seas and skies to some extent, but it really doesn't address land transport.

Just yesterday there was another major train derailment and fire in Saskatchewan. We had the terrible tragedy of Lac-Mégantic. There is a pressing need to address this particular area more quickly than it is being addressed, I believe, and it would have been reassuring to see at least some provisions in this bill.

It is notable that in our committee report we made a number of recommendations with respect to rail. One of them was this question of safety culture assessment and safety culture audits by the Canadian Transportation Agency and any other agency that would be reviewing rail transport safety.

It's interesting that the National Energy Board raised with us the fact that they are now beginning to look at safety culture audits, and they are encouraging about the possibility that they will begin to implement that with pipeline companies. It is very important, I would say, that that approach also be taken with rail companies. It's not as though major rail companies or all rail companies or pipeline companies aren't focused on safety and aren't concerned about safety. They are, and they talk a lot about safety culture. But what we learned in our study is that safety culture is very subtle, and it isn't just a matter of counting near misses and actual accidents, as one excellent witness, a professor from St. Mary's in Nova Scotia, said. It's much more subtle. It's much more difficult to integrate a safety culture deeply in the DNA of an organization, and if ever there were organizations that need that, it certainly would be in pipeline transportation companies and also in rail companies.

I believe that that needs to be addressed, and it would have been nice to have seen that kind of thing addressed in this legislation.

• (1440)

We'd also like to see the government initiate a major arm's-length review of the country's railway regulatory framework, standards and industry practice to meaningfully advance the safe transportation of dangerous goods by rail in Canada. That's really just to reiterate my point.

[Senator Mitchell]

We'd like to see that something concrete, specific and very aggressive is being done about the upgrading of railcars. I know an announcement has been made, but I think there needs to be more muscle put behind doing away with the old cars, which simply do not meet the kind of modern-day safety standards they should.

We also think that there are a variety of recommendations from the report of the Commissioner of the Environment and Sustainable Development related to the transport of dangerous goods by rail that haven't been implemented. One would have hoped they had been because they've been on the books now for several years. They could have been implemented in this particular piece of legislation.

We'd like to see that certain appropriate minimum liability coverage thresholds are implemented for railways. I think some work is being done on that.

In any event, that would be the large list of concerns that I would have. It's not so much what's in the bill, but more what's not and could be.

There is one subtle thing that I'd like to mention that may not be so subtle, and that is that the bill is also amending provisions in other legislation which will involve the consolidation of some provisions respecting pollution prevention and pollution response officers, and that is to say that ultimately they will eliminate the term "pollution prevention officer" and simply have "pollution response officers."

That may be benign. It may be a way to create greater efficiency. But my concern is, knowing this government's tenuous relationship with environmental control and concern, that it might be more than that, that in fact the elimination of the term "pollution prevention officer" may reflect a pre-disposition, orientation and less concern than would be, I think, warranted with respect to pollution prevention when it comes to the transportation of various dangerous goods.

On balance, I would at this point certainly, in principle, support the bill as it is. I'm just saying that I'm sorry that there's not more to it, that it doesn't have broader application and vaster impact. Thank you.

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

An Hon. Senator: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

**COPYRIGHT ACT
TRADE-MARKS ACT**

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

Hon. David Tkachuk moved second reading of Bill C-8, An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts.

He said: Honourable senators, I rise today to speak in support of Bill C-8, the combatting counterfeit products act.

First I want to thank the members of the other place for their work in reviewing this bill and, while a number of substantial amendments were made during the study of the bill at committee, the bill continues to have a balanced approach which garnered all-party support at report stage.

Before speaking to the particulars of Bill C-8, it is worth remembering the important measures our government has already taken to protect Canadian consumers by modernizing Canada's intellectual property laws. In 2007, the government passed the anti-camcording bill, which amended the Criminal Code to prohibit the recording of a movie in a movie theatre without the owner's consent. With this bill, the movie industry saw a dramatic reduction of movies being recorded in Canadian movie theatres.

In 2012, the government's long-standing copyright laws were updated and, through the Copyright Modernization Act, the amended Copyright Act now allows for legitimate and commonplace actions by Canadian consumers to be protected under copyright law. Canadians no longer have to be concerned about the legalities of time-shifting television, which is pre-recording programs on their personal video recorders, transferring music from their CD collection to their MP3 players or remixing music or videos for non-commercial purposes and sharing it on social media.

By enacting the Copyright Modernization Act, this government listened to the concerns of Canadian consumers and provided them with legitimate protection for their actions, while also extending protections for artisan creators working in the digital age. Canada now has a modern copyright regime which will play a critical role in protecting and creating jobs in Canada's digital economy.

Honourable senators, Bill C-8, the combatting counterfeit products act, is the next step in our government's plan to modernize Canada's intellectual property laws, and it will help to achieve the long overdue goal of bringing Canada's trademark system into the 21st century.

The importance of cracking down on counterfeit activities should not be underestimated. The RCMP has conducted its own study of intellectual property crimes and released their

report last year. Over 200 cases of harmful counterfeit products were investigated in 2012, including toys and pharmaceuticals, perfumes, integrated circuits, makeup, headphones, wheel-bearings, cellular phones and batteries, to name just a few.

Of all counterfeit products encountered, those involving harmful products increased substantially from 11.5 per cent in 2005 to 30.4 per cent in 2012. Also noteworthy is the rise in the total retail value of seizures of counterfeit and pirated goods from over \$24 million in 2010 to \$38 million in 2012. This represents a significant amount of money and jobs that are essentially being taken away from Canadians. These illicit goods also damage the reputation of businesses that pride themselves on manufacturing products of a much higher quality than those inferior copies.

This is an important issue. A lot of hard work, sweat and risk go into building a successful business. There are no guarantees, but when a business does succeed, to the extent that it is a brand known nationwide or even the world over, it deserves to have that brand protected. Unscrupulous criminals seeking to make a profit off the hard work of others by building and shipping inferior brands to consumers threaten to undo all that hard work. They threaten not only the livelihood of those who have worked hard to create a successful enterprise but their reputations by providing unwitting consumers with an inferior product.

The problem of counterfeit and pirated goods is a global one. Canada's trading partners have testified to that. The U.S. Customs and Border Protection department notes, for instance, that the number of seizures of counterfeit and pirated goods conducted by U.S. customs officials in 2012 reached almost 23,000. That amounts to a retail value of \$1.2 billion. This represents an average seizure value of \$10,450 and led to 691 arrests, 423 indictments and 334 prosecutions.

The European Union states that in 2013 border officials detained over 86,000 shipments containing almost 36 million articles. This represents a retail value of 770 million euros. Then there are the findings of the Intellectual Property Crime Group in the United Kingdom, and in its annual review it included a study by the Institute of Economic Affairs that found that counterfeit alcohol alone cost the U.K. treasury about \$1.2 billion per year.

The Ministry of Economy, Trade and Industry in Japan found that 23.4 per cent of companies sustained losses from counterfeiting in 2012. This is an increase of 1.5 per cent from the previous year.

Honourable senators, the numbers speak for themselves. Something needs to be done to curb the global trade in counterfeit and pirated goods. Bill C-8 is our government's response to this global threat.

• (1450)

Bill C-8 contains enforcement measures in three main areas: border, civil, and criminal measures. Let me briefly explain the new measures.

The central focus of the bill is the establishment of a new border regime, which will allow Canada to better fulfill its role in

the global fight against counterfeiting and piracy. We know that counterfeit goods are present in international trade channels. Stopping them at the border as they are imported to or exported from Canada is, therefore, essential if we are to protect families and consumers from these potentially harmful goods.

With this bill, border officers will now have the authority to detain commercial shipments that are suspected of containing counterfeit goods. Furthermore, rights holders will be able to file a request for assistance with the Canada Border Services Agency, whereby commercial shipments containing counterfeit goods can be detained and trademark owners can pursue civil remedies.

The request for assistance applies to both goods entering Canada and goods about to leave Canada for a foreign market. This is an acknowledgement not only that we must not stop goods from entering our market, but also that Canada should not be considered a source country for manufacturing counterfeit goods.

Colleagues, this bill contains many important measures to help combat counterfeit products. In fact, stakeholders have been pushing for these new measures for some time now. Canada Goose, a well-known Canadian winter clothing manufacturer, has stated:

Canadians have long been victims to the illicit counterfeit trade and the new measures . . . should be welcome news for consumers, businesses and retailers alike. . . . The strengthened border measures will play a vital role in protecting jobs for Canadian manufacturers, as well as unsuspecting consumers . . . from those that would do them harm.

The Canadian Anti-Counterfeiting Network stated that they were:

. . . pleased that this legislation is moving forward . . . Counterfeiting has grown into a criminal activity that supports everything from organized crime to terrorism With this new legislation, [this] will begin to change.

The Entertainment Software Association of Canada said:

Equipping border service agents with the necessary tools to seize counterfeit products and other illegal goods like circumvention devices will help take a bite out of this ongoing problem. Protecting intellectual property . . . is critical to the Canadian economy . . .

Honourable senators, in order to achieve a balance between the rights of trademark and copyright owners and the need to

maintain efficient trade across the border, this bill contains important exceptions.

First, I'd like to address the issue of in-transit goods or goods that are travelling through Canada on their way to another country. These are goods that never enter the Canadian marketplace but come through our ports and border crossings. These goods are exempt from the rules found in Bill C-8. This does not mean, honourable senators, that goods that pose a health or safety risk would continue through our border unchecked. There are, in fact, already legislative authorities in place, such as the Customs Act, the Food and Drugs Act, the Canadian Consumer Product Safety Act and the Transportation of Dangerous Goods Act, through which our border guards, the RCMP, Health Canada and Transport Canada can intervene. Canada will continue to check goods at the border that pose health or safety risks, regardless of their ultimate destination.

What the in-transit exception means is that Canadians will not search in-transit goods destined for other countries that are purely an intellectual property infringement, like counterfeit Nike shoes, for example, or counterfeit Callaway golf clubs. We will, however, continue to work with other countries, including the United States, to share information on suspect shipments and dangerous counterfeit goods.

Second, the bill contains an important exception for individual Canadians who have counterfeit products in their possession while crossing the border. Because the government is seeking truly commercial shipments, any counterfeit goods for personal use found in a traveller's baggage will be exempt from the rules found in Bill C-8.

The border system proposed in this bill is supplemented by new civil provisions that target current and emerging counterfeit practices. For example, civil causes will be added to the Trade-marks Act that deal with activities such as shipping labels separately from the goods to which they are to be affixed in order to avoid detection. It will also now be a civil infringement to manufacture, possess, import, export or attempt to export counterfeit goods for commercial purposes, regardless of whether the goods are identical to those registered under the trademark.

The importance of this bill also extends beyond economic measures. Far too often, there are serious organized crime groups behind commercial production and sale of counterfeit products, and such groups bring these goods to market without any care for health and safety standards. This is of particular concern for Canadian families and consumers who may be unaware that the products they are using pose significant risks to their well-being.

The most effective way of reducing these activities, thus protecting Canadians from harm, is by targeting those who profit from counterfeiting and piracy, exploiting the brands and reputations that legitimate Canadian businesses have worked

hard to build. Bill C-8 will allow counterfeit goods to be stopped at the source. It is worth mentioning again that it will not target individuals who may carry counterfeit goods across the border.

The effectiveness of these new enforcement mechanisms and tools can be maximized only if there is a strong and comprehensive legal framework behind them that helps to ensure the validity of the legitimate owner's registered trademark. Bill C-8 gives rights holders the tools they need to bring to justice those who try to profit illegally from their reputation and creativity. In this way, Canada will be able to create an environment that promises innovation and economic growth while also keeping families and consumers safe.

I believe this bill achieves the balance that the government has made a priority in reforming Canada's intellectual property laws. Businesses and creators will have new tools to enforce their rights, but the exceptions regarding individual personal use mean that these measures will remain pro-consumer. Furthermore, the bill recognizes that both trademark owners and the government have key roles to play in keeping unsafe products from the Canadian market.

Once the bill is in force, Canada will have a modern and world-class enforcement regime for intellectual property rights and one that will allow Canadians to effectively combat counterfeit products, providing greater safety for Canadian consumers and families and encouraging economic growth through business innovation.

I urge honourable senators to swiftly pass the Combating Counterfeit Products Bill, and I ask for your support.

Hon. Art Eggleton: Would the honourable senator take a question? At the Social Affairs Committee, for the last couple of years we have been studying pharmaceuticals, and in our more recent report, which will soon be tabled here, we talk about counterfeit drugs through the Internet. There are online services that produce very illegal substances, counterfeit drugs.

To this point in time, even though the Canada Border Services Agency, the RCMP and, to some extent, Health Canada, have been involved, there has been no successful prosecution of any of these companies in Canada. The United States, through the Food and Drug Administration, has prosecuted Canadians for doing this, but we haven't been able to do any of this.

What will make a difference here? There supposedly are provisions to stop counterfeit drugs from being sold over the Internet, but they obviously haven't been effective. What is different in Bill C-8 to make it more effective?

Senator Tkachuk: I can't comment directly on why there haven't been particular legal remedies by prosecution. All I can say is that if goods crossing the border are considered

dangerous goods, they now can be seized by border officials. Hopefully the products that are being sent across the border will be stopped that way.

Hon. Joseph A. Day: I have a question as well if the honourable senator is prepared to entertain another question.

Senator Tkachuk: It depends on the question, Senator Day. Please, go ahead.

Senator Day: I merely asked if you were prepared to entertain the question, not to give me an answer.

• (1500)

My first question is with respect to the comprehensive agreement on trade with Europe. Can the honourable senator advise us if this legislation is reflective of and being made and presented in order to meet obligations under that comprehensive agreement?

Senator Tkachuk: I'm sorry to say that I haven't read the European free trade act so I can't say whether this particular bill applies to the provisions in that act, but it's probably something you could ask the minister in committee.

Senator Day: Thank you; I expect that I may well do that.

The follow-up question relates to the many free trade agreements that are being negotiated and have been negotiated between Canada and other countries, and one major one is in Asia. Does the honourable senator know if there are any provisions in this legislation that are being made in order for Canada to meet its obligations under these negotiations or agreements?

Senator Tkachuk: Well, I really can't say, Senator Day, exactly what is in those free trade agreements. All I can say is I don't believe there would be exceptions in the free trade acts to allow counterfeit goods to come into Canada, so I don't know how any of that applies.

This applies to all products coming in that may be counterfeit, or that may be dangerous or harmful to consumers. There are different ways in this bill that describe how they're all going to be handled. I can't imagine that there will be any exceptions in any of the free trade bills through this particular bill.

Senator Day: Thank you. This bill, as the honourable senator has indicated, was amended in the House of Commons. Is the honourable senator able to advise us whether those amendments were amendments that were developed in committee or presented by government to committee for amendment?

Senator Tkachuk: I can only tell you that they were made in the house. Whether they were proposed by the government or proposed by the opposition, I can't tell you.

Senator Day: It would be helpful for us going into committee to understand the amendments. I understand from your comments that there's more than one amendment that was made to this legislation. The information I have is that the bill got first reading and proceeded to third reading in three days in the House of Commons.

Is the honourable senator able to help me with whether there was an extensive hearing in the house, or is that something that we will be expected to do here in this chamber?

Senator Tkachuk: Well, only Senator Baker could take a committee hearing and turn it into a novel, but I can't do that. So I don't know what they discussed in those three days. Actually, I only care about the fact that this bill was passed with amendments and that we now have to deal with it, and we'll deal with it in our own way.

Senator Day: This is quite an extensive piece of legislation of some 50 pages. The more background we can have on how extensively this has been reviewed in the other chamber, the better. If the honourable senator had had some background information for me, I probably could have dealt with this more expeditiously but, under the circumstances, in order to allow me to do this research and to answer those questions, I would ask to adjourn this matter in my name.

[Translation]

The Hon. the Speaker *pro tempore*: Senator Ringuette has a question. Before Senator Day moves the adjournment motion, we will hear Senator Ringuette's question.

[English]

Hon. Pierrette Ringuette: Senator Tkachuk, in your statement, you indicated that the RCMP was already seizing counterfeited products. You stated that a number of seizures took place in a certain period of time. Am I correct?

Senator Tkachuk: The only mention I made about the RCMP was that they conducted a study on intellectual property crimes and released a report last year. I can repeat that, if you like. The study finds that over 200 cases of harmful counterfeit products were investigated in 2012, including toys, pharmaceuticals, perfumes, integrated circuits, headphones, wheel bearings, cellular phones, and batteries.

Senator Ringuette: Would that RCMP report give any indication of where these counterfeited products came from or were manufactured?

Senator Tkachuk: I can't tell you where those products came from or were manufactured, but counterfeit products are shipped into Canada from all over the world. They could have come from Asia or the Middle East; they could have come from anywhere and been shipped to Canada. So I can't tell you origin or destination. There are too many products. If you like, I can try to get the information for you, and you can also ask the question in committee.

Senator Ringuette: I appreciate that you would bring that information forth. I'm not on that committee, but I'm interested in the issue. Thank you, senator.

(On motion of Senator Day, debate adjourned.)

INTELLIGENCE AND SECURITY COMMITTEE OF PARLIAMENT BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Greene, for the second reading of Bill S-220, An Act to establish the Intelligence and Security Committee of Parliament.

Hon. Grant Mitchell: I am interested in speaking on this bill, Mr. Speaker. I am not prepared to do it yet and I would like to adjourn the debate in my name for the remainder of my time.

(On motion of Senator Mitchell, debate adjourned.)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FIFTH REPORT OF COMMITTEE—MOTIONS IN AMENDMENT AND SUBAMENDMENT— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator White, seconded by the Honourable Senator Frum, for the adoption of the fifth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (amendments to the *Rules of the Senate*), presented in the Senate on June 11, 2014;

And on the motion in amendment of the Honourable Senator Cowan, seconded by the Honourable Senator Fraser, that the report not now be adopted, but that it be amended by:

1. Replacing paragraph 1.(j) with the following:

“That an item of Other Business that is not a Commons Public Bill be not further adjourned; or”;

2. Replacing the main heading before new rule 6-13 with the following:

“Terminating Debate on an Item of Other Business that is not a Commons Public Bill”;

3. Replacing the sub heading before new rule 6-13 with the following:

“Notice of motion that item of Other Business that is not a Commons Public Bill be not further adjourned”;

4. In paragraph 2.6-13 (1), adding immediately following the words “Other Business”, the words “that is not a Commons Public Bill”;
5. In the first clause of Paragraph 2.6-13 (3), adding immediately following the words “Other Business”, the words “that is not a Commons Public Bill”;
6. In the first clause of paragraph 2.6-13 (5), adding immediately following the words “Other Business”, the words “that is not a Commons Public Bill”;
7. In paragraph 2.6-13 (7) (c), adding immediately following the words “Other Business” the words “that is not a Commons Public Bill”;
8. And replacing the last line of paragraph 2.6-13(7) with the following:

“This process shall continue until the conclusion of debate on the item of Other Business that is not a Commons Public Bill”.

And on the subamendment of the Honourable Senator Mitchell, seconded by the Honourable Senator Day, that the amendment be not now adopted but that it be amended by adding immediately after paragraph 8 the following:

9. And that the rule changes contained in this report take effect from the date that the Senate begins regularly to provide live audio-visual broadcasting of its daily proceedings.

Hon. Linda Frum: Honourable senators, I rise today to express my support for the measures outlined in the fifth report of the Committee on Rules, Procedures and the Rights of Parliament.

As we all know, these measures, which would apply to the way that private members’ bills are dealt with in this chamber, are the subject of some controversy because the report recommending them was adopted at committee by a majority of senators but without consensus.

It is true that this represents a departure from the custom of the committee. But as the senator who moved that the report be adopted so it could be brought to this chamber for a thorough debate here by all members, I would like to better explain why I believe it is important for us to embrace the proposed reform to the *Rules of the Senate* as outlined in the fifth report.

• (1510)

The rule change itself can be summarized this way: The sponsor or the critic of a private member’s bill would have a chance to prompt a vote on a bill if it has been called for consideration at least 15 times and has been debated for at least 3 hours. If those two tests have been met, a senator could give notice of a motion that the bill not be further adjourned. That motion not to adjourn could be debated for up to two and a half hours and then voted on. If the motion passed, at the next calling of other business, the private member’s bill itself would be open for immediate, non-stop debate until a vote is held.

There are advantages to such a change to the rules, and greater accountability is one. The Senate was intended to be a chamber of consideration. When the House of Commons passes a bill and sends it to us to be considered, that is what they expect us to do. It is our role. This proposed rule change will oblige us to do our duty rather than allow us to simply ignore or endlessly defer debate on any proposed legislation that we find challenging.

This rule change will encourage greater debate on issues and will allow the sponsor or critic of a bill to see their bill brought to a resolution in this chamber. It will neither cut short nor fast-track debate, as some have claimed. On the contrary, it will enlarge debate because if a sponsor or critic wants their bill to come to a vote, that member will be invested in encouraging the greatest number of colleagues possible to engage in debate so that the bill may meet its requisite three hours of debate. A second valuable aspect of this proposed rule change is that it will grant greater autonomy and independence to individual senators, a concept dearly valued by the members opposite — or so they often tell us.

Under our current rules, the decision to bring bills forward for a vote or not is decided by negotiations between our two deputy leaders on the government and opposition sides. However, if we adopt the rule change as proposed, we will in fact be putting greater power into the hands of individual senators, particularly those on the opposition side or those who sit as independents. In other words, rather than trample on minority rights, as some charge, this rule change will do the opposite. It will increase the power of individual opposition or independent senators who otherwise have limited powers. Now, it is obviously true that if a sponsor or critic of a bill happens to be an opposition or independent senator and moves that there be no further adjournment, their motion or their bill may be defeated. Majority rule still applies in this chamber, as it always has.

When senators like Senator Cowan suggest, “the only purpose of this proposal to change our Rules is to give the majority even greater power over the minority in this chamber,” they have it exactly backwards. Take, for example, Bill C-279, the transgender bill sponsored by Senator Mitchell. Senator Mitchell has made it clear he would like to see this bill come to a vote in this chamber before the next election. Under our current rules, as a member of the opposition he has no leverage to make that happen. But if he accepts the proposed rule changes contained in the fifth report rather than try to kill the proposal by introducing amendments, the utility of it would soon become obvious to him.

As Senator Mitchell knows, Bill C-279 is currently being considered by the Standing Senate Committee on Legal and Constitutional Affairs. When the bill comes out of committee, it will return to this chamber for third reading. At that point, the power to stop further adjournment and force a vote on Bill C-279 will fall into Senator Mitchell's hands after it has been called 15 times and debated for 3 hours. This is a power he does not have today. But if Senator Mitchell votes against the fifth report, he takes this power away from himself. I must confess to being baffled as to why he is arguing in favour of limiting his powers both as an individual senator and as a member of the opposition.

That brings me to the sensitive issue of the lack of consensus at our committee. I know that Senator David Smith, for whom I have a lot of affection and respect — as I have for Senator Mitchell, of course — is very disappointed that this report has come to the Senate floor without the consensus of committee members such as himself. Frankly, I'm disappointed too because I agree that consensus, when it comes to changing the *Rules of the Senate*, is critical to the credibility of the institution. But that is the whole point; I am convinced that this rule change can only enhance the credibility of the Senate.

In the five-plus years that I have been here, much has been said about the necessity of Senate reform, but very little of it, if any, has actually taken place. Here we have before us a very modest yet positive proposal for reform that is within our power to achieve. This proposal will increase Senate accountability. It will increase the amount of debate that takes place in this chamber. It will give more power to those in the minority by giving them a mechanism to bring bills forward for a vote. It will make us more answerable to the elected members of the House of Commons. It will take away the image of a dithering Senate and bring greater focus to our work.

Surely this is a proposal worthy of consideration, especially as it was the brain child of a bipartisan subcommittee, which included three of our most senior, thoughtful and experienced senators: Senator Nolin, Senator Joyal and Senator White. It only came to the larger Rules Committee after consensus had already been achieved at the smaller subcommittee.

What is the right thing to do when there is a reasonable proposal, a wise proposal, a proposal that will reform the Senate for the better? What is the right thing to do when a small group of senators refuses to even consider it and then cries foul because there is no consensus? That is what happened here. There were four meetings of the Rules Committee on this proposed change, and the opposition and independent members on the committee made no suggestions for improvement or amendment. They just said no. Of course there was no consensus; there was no genuine effort made to find one. That is why, honourable senators, I moved at committee that this report be brought to the chamber so we can really hammer it out here with what I hope will be sincere goodwill.

If we want to do what's best for the Senate, not for the government side or the opposition and independent sides, but for the institution as a whole, we should embrace any reform within our power to make the Senate more accountable, responsible and

democratic. That is why I urge the minority members opposite to reconsider their opposition to this proposal and accept the fifth report of the Rules Committee as written and unamended. To repeat: It is a modest change, but it would be a change for the better. If we fear reforms as straightforward as this one, I despair that we will ever accept any Senate reform at all.

Hon. Grant Mitchell: Will Senator Frum accept a question?

Senator Frum: Yes.

Senator Mitchell: I appreciate Senator Frum's comments. I do fear that from time to time she has no patience for democracy; but I will say that she is making the same mistake — we have this in common — that I made at first glance of this bill. I thought that yes, in fact, it would give me the power to get a vote on Bill C-279; but I was disabused of that misconception, and I'm hoping I can do the same for you and ask you a question of whether or not it has worked.

The fact is: I don't have that power with this motion. All I will have is the power to stand up and ask the question to be voted on as to whether we could have a vote on the bill. Well, as you say, the majority still rules; the government will have the power to say yes or no to a vote on that bill. If it is the case that you will have the power to say yes or no to a vote on a bill as a result of the power that comes with this motion, you have that power anyway. I gain nothing from it. I will not have any more power over precipitating a vote on Bill C-279 with this motion than I do now. You still have the control. If you want a vote, Senator Plett can turn to his house leader and simply say "I want a vote." Senator Mitchell asked me to have a vote, so I want a vote." Or, as was the case over and over with other bills I've had, they just say no, you'll not get a vote, because parenthetically they want it to die on the Order Paper.

My point is that, in the end, you get the power to get a vote on something that you will have control over under this motion that you don't now have control over. But I get nothing on the opposition side. One day, it may just be that you will be in opposition and you will understand that more clearly than you do now. Is that not the case? Hopefully, it will happen soon.

Senator Frum: Senator Mitchell, I will answer your question despite the unjust comment you made about my attachment to democracy, which really was quite a silly thing to say.

You have to look at what the motivation is behind this proposed rule change. It is true that in the Senate we operate on convention. When you have a rule change like this, no established convention has been created yet. I would argue that the motivation behind the proposed rule change is to allow private members' bills to be brought forward for votes. That is the spirit of the rule change and I think what we would discover, if we enacted this, is that we would create a convention. If you have the 3 hours of debate and the 15 days have passed and then the question is brought forward by the sponsor or the critic, it would really be against the spirit of this rule change to then vote down that motion.

• (1520)

We'd have to try it. I agree that in order for change to happen we need to be open and willing to try change, which is something that is frustratingly difficult in this chamber and in this institution. That is the motivation behind the rule change, and I believe it would become the convention.

Senator Mitchell: I have another question.

Hon. Ghislain Maltais (Acting Speaker): Senator Frum, will you accept another question?

Senator Frum: If he doesn't insult me.

Senator Mitchell: I'm not disputing — well, I am disputing, but I will acknowledge your argument that this motion comes from a good place. Surely the element of sober second thought that we bring to things is to consider unintended consequences. I absolutely, fundamentally believe the problem of unintended consequences in this case, which is that you would get a power on the government side that will not be reciprocated here.

If you really wanted to precipitate change, why not do some things that would be significant in opening up the kind of change that motivated the desire to have an elected Senate, if you're talking about motivations, one of which was to give senators greater independence. If you want senators to have greater independence, which apparently your government did and you agreed with it, why don't you just stop going to your caucus — we've stopped going to our caucus, we have greater independence — and you would find that it would be a tremendous relief. Is that not the case?

Senator Frum: Here we do stray very far from the issue at hand, although I would point out on this issue of consensus that the reforms that happened over on your side were certain reforms that were not achieved by consensus. They were reforms that Mr. Trudeau imposed on you and once he imposed them, you all agreed that they seemed wonderful after the fact, but that was not arrived at by consensus, I'm quite sure of that.

In terms of the spirit of the rules, one of the potential amendments we could have made to this, had the opposition tried, is to say let's put the rule in place and then let's review it in some number of years, like one year, six months, five years. Unintended consequences, let's try it and find out and then let's review them. That suggestion was not even made at the committee because there was no effort made whatsoever to try and work with the spirit of what's trying to be achieved here, and that's just really a shame.

Hon. Joan Fraser (Deputy Leader of the Opposition): Would Senator Frum take a question, preceded by a brief comment?

I was wistfully touched by your suggestion that the deputy leaders control the flow of business around here. My colleague is laughing with me on this one. We do our best

but, believe me, unlike the other place, here we can nudge, we can ask, but we cannot control. That's partly because of the wonderful flexibility in our rules, where the whole Order Paper is called every day and any senator can speak or decide not to speak on a given item. I really like that quality, but it does mean that control lies more in the eye of the beholder than in the eyes of those of us who are alleged to hold it.

I do plan to speak to this motion, but I'm not going to give a speech right now. My question is just a matter for the record.

You said more than once that under this proposal, the sponsor or the critic of a bill could precipitate the process involved. Can you confirm for us, please, that that power would also extend to somebody who moves a substantive motion, an amendment to the bill?

Senator Frum: I don't believe so, but I can check. Do you know the answer to the question you're asking?

Senator Fraser: I want it on the record.

Senator Frum: If you want to offer it, because of course we do sit on the Rules Committee together, and as the Deputy Leader of the Opposition you may feel you don't have complete power. I know you have a conversant awareness of the rules. If that is the case and I am wrong, you are right and that is true, that's only for the good. That's a good thing. That opens the discussion even wider. I don't see what the problem would be for that.

Senator Cowan: Senator Frum's time has expired. I don't know if she's asking for further time.

Senator Frum: Five minutes.

The Hon. the Acting Speaker: Do you accept this, Senator Frum?

Senator Frum: Yes.

Hon. James S. Cowan (Leader of the Opposition): Perhaps I will follow up on the questions that Senator Mitchell put to you. I will make a comment and I intend to speak to this report in the next few days.

It seems to me that what's happened here is we have private members' bills that are coming in, which government members have introduced. Some have come in from the House of Commons, some have been introduced here by Conservative members in the chamber. We on our side have introduced some and indeed the bill Senator Mitchell was promoting here was introduced by an opposition member — not a Liberal, but by a New Democrat in the House of Commons. Those bills have languished on the Order Paper for some considerable time.

I will speak about a bill you're familiar with that I introduced, I think, in April 2013. Nobody spoke to it on the government side, kept taking adjournment after adjournment. I introduced it again in the fall when we came back after the prorogation. You spoke in June and then it went to committee, and now we're through the hearings. That took so long to proceed because there was no will on the government side to make it go forward. The only way in which these bills proceeded — the bill that Senator Mitchell was sponsoring here, the bill that I was promoting and a number of private members' bills that came from the government side — because there was not a consensus, was through the good offices of our two deputy leaders; there were trades made. "You want that bill to go to second reading; we want this bill to go to second reading." That worked very well — and I invite your comments on this — in May and June 2014, and I would suggest that is a way forward for us.

Otherwise, exactly as Senator Mitchell points out, he can say we've had three hours of debate, it's been on the Order Paper for 15 days, I move that it not be further adjourned. If the will of the majority is that it be further adjourned, then the motion is defeated. It really puts no further power in the hands of any individual senator because the majority still rules, and the majority still decides which bills are going to go forward and which bills are going to remain stagnant on the Order Paper.

I suggest to you, and I would invite your comment, that the experiment, which we worked through cooperatively in May and June 2014, is the way to go. That really does ensure that matters are brought forward for decision, and not just that a motion be made asking for a decision. The majority still rules and if the majority decides that Bill C-279 or my bill on genetic discrimination is not worthy of support of the house, they can vote the bill down at either second or third reading. We have a process for moving bills forward and I suggest that's a far better way for us to ensure that bills here receive proper consideration.

The other part I would like your comment on is the fact that this report asks that we give a certain treatment to bills that come from the House of Commons, which is not reciprocated when it goes to the other place. I would like your comment on that, whether you think that is a fair and appropriate approach.

Senator Frum: Thank you for the question, Senator Cowan. I am in no way trying to suggest that this quite modest change to the rules will solve all the problems of the Senate or improve the functioning of the Senate by itself. As I said a few times in my remarks, and I will say it again, this is a very modest proposal. It would not preclude the process that you just described. It wouldn't cut it short. It's just an extra tool, and quite frankly a tool that could be used by the minority members of the house to advance things. It's only one tool, one reform and it's modest. That's why I feel this frustration that we aren't trying to add mechanisms to make our chamber more effective.

• (1530)

The underlying principle that we're trying to get at here is that we should be a house of consideration. When bills are put forward, we should deliberate upon them and then vote on them.

[Senator Cowan]

That's the principle at stake, and that's all that this rule change is trying to address. It is certainly not a complete Senate reform package in any shape.

To the second part of your question, I don't support your amendment to this because I don't think it is our place, right or duty in this chamber to tell the other chamber how to form their rules. That is their prerogative. All we're trying to do here is to try to change the things that are within our control, and I think we have to limit ourselves to that.

(On motion of Senator Cowan, debate adjourned.)

THE SENATE

MOTION TO STRIKE SPECIAL COMMITTEE ON SENATE TRANSFORMATION— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Cordy:

That a Special Committee on Senate Transformation be appointed to consider;

1. methods to reduce the role of political parties in the Senate by establishing regional caucuses and systems to provide accountability to citizens;
2. methods to broaden participation of all senators in managing the business of the Senate by establishing a committee to assume those responsibilities, and to provide for equal regional representation on said committee;
3. methods to allow senators to participate in the selection of the Speaker of the Senate by providing a recommendation to the Prime Minister;
4. methods to adapt Question Period to better serve its role as an accountability exercise; and
5. such other matters as may be referred to it by the Senate;

That the committee be composed of nine members, to be nominated by the Committee of Selection and that four members constitute a quorum;

That, the committee have power to send for persons, papers and records; to examine witnesses; and to publish such papers and evidence from day to day as may be ordered by the committee;

That, notwithstanding rule 12-18(2)(b)(i), the committee have power to sit from Monday to Friday, even though the Senate may then be adjourned for a period exceeding one week; and

That the committee be empowered to report from time to time and to submit its final report no later than June 30, 2015.

Hon. Rose-May Poirier: I have spoken to Senator Martin, who had adjourned this motion in her name, and she has indicated to me that she no longer wants to speak. Therefore, I move the adjournment in my name.

(On motion of Senator Poirier, debate adjourned.)

INVESTIGATIVE ROLE—INQUIRY— DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Nolin, calling the attention of the Senate to its investigative role.

Hon. Joan Fraser (Deputy Leader of the Opposition): Colleagues, I again wish to thank Senator Nolin for launching this particular inquiry. Like most of us, I find myself, from time to time, speaking to people about the Senate, trying to explain who we are or what we do, and it has been my experience that they are way more interested than you would expect in almost everything you have to tell them about who we are and what we do.

But it has often struck me that the greatest impact that these little sessions have is when I get to the work of our committees. I'm not talking about the committees' work on legislation, although that can be extremely important, as we all know. I'm talking about the special studies that we do, because those are things that you're probably not really aware of unless you have a personal interest in a topic that the Senate is studying.

It's a real eye-opener for a great many people. For young people, it is still true that jaws drop when you tell them about the study of drugs Senator Nolin chaired so ably some years ago. That is not exactly the kind of thing they expect a bunch of stuffy Victorian senators to be looking at, let alone taking groundbreaking positions on.

Older people are sometimes very interested in the fact that we launched work on end-of-life care when it was still considered the third rail of politics — when you were not supposed to talk about those things. There, too, this body reached important, useful, constructive conclusions.

And this has been true for decades. We tackle subjects that, for one reason or another, are being overlooked. I'm not suggesting that they don't do committee work in the other place. They do, and some of their studies are very good. But I would argue that our studies, on balance and on average, have been more thorough and in many ways more courageous than has been possible in the other place.

That is in part because of the fundamental dynamic of this place. We do not have to get elected, which means we do not have to be afraid of personally facing the wrath of the electors in — maybe now — a year, or even in two or three years.

Senator Munson: March.

Senator Fraser: In March, next month — who knows. That is an enormous advantage for us when it comes to doing careful work and examinations, and then speaking about what we have concluded to be the truth to power or to the public. We can do that.

If there is a reason to justify the extraordinary job security that we have, that surely has to be the foundation of it; namely, that we are given that job security and that independence to enable us to speak the truth.

And we do. Think, for example, of all the studies done by the Defence Committee in this place, which have enraged successive governments, ministers of defence — really enraged them. Maybe that committee has made the odd error — it's a human institution, and we all make the odd error — but, by and large, those reports have done a great service to the public, even if the government wasn't happy to see them.

Think of the work done on another third rail — think of the work done by our Social Affairs Committee on mental health, which has gone a long way to change the landscape in this country. It suddenly made it respectable for politicians to address this issue they had ignored for so long, at such terrible cost to so many thousands of Canadians. I don't mean that the report changed the entire universe, but it changed an important chunk of our Canadian universe. It was the Senate that did that.

Sometimes we tackle issues before they're on the public agenda. I was greatly struck, for example, by the fact that the Transport Committee started its examination of the safe transport of hydrocarbons months before the disaster in Lac-Mégantic. This history goes back for decades. For example, think back of the groundbreaking study that our Agriculture Committee did on soils — earth — and the terrible dangers of degradation we were facing. Although it's not my field, I am told that that report is still studied and cited on occasion.

• (1540)

Think of how much work we have done for veterans.

Think of all the work that committees do year in, year out. Think of the Official Languages Committee, which year in, year out addresses itself to specific problems affecting specific communities. If you're not a member of those communities, you won't pay much attention, but if you are a member of those communities, you are so grateful for the work that is done and so grateful for the influence that you know that work has on the fate of your communities.

I think also of the Human Rights Committee, which does, again year in and year out, examinations of really important issues that safe and comfortable members of the majority don't have to pay a lot of attention to until the day when one of us is affected by one of those subjects. I don't know how many of us quite realize the influence that that committee's report on cyberbullying has had. It has been reprinted I don't know how many times. It's gone to schools, at their request, all over the country because it was the only public examination in Canada of that topic. Thousands of people were so grateful to see the work the Senate had done.

I know that we all face certain pressures. Now that we have an independent state to celebrate, perhaps we on this side face fewer such pressures, but we remember what it was like to face pressures from our colleagues down the hall or in the seats of power. I also know that in this place we value our ability and our duty to seek out the truth and to speak the truth to those who need to hear it. I know that we'll go on doing that. For my part, I think it's one of the elements of this place of which we should be most proud.

(On motion of Senator Tardif, debate adjourned.)

ROLE IN PARLIAMENTARY DIPLOMACY—
INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Nolin, calling the attention of the Senate to its role in parliamentary diplomacy.

Hon. Joan Fraser (Deputy Leader of the Opposition): Well, colleagues, I thought you might like to hear another speech from me today, but then on second thought I thought maybe you wouldn't, so I move the adjournment for the balance of my time.

Some Hon. Senators: Hear, hear.

(On motion of Senator Fraser, debate adjourned.)

(The Senate adjourned until Thursday, October 9, 2014, at 1:30 p.m.)

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