



DEBATES OF THE SENATE

2nd SESSION • 41st PARLIAMENT • VOLUME 149 • NUMBER 91

OFFICIAL REPORT
(HANSARD)

Thursday, October 30, 2014

The Honourable NOËL A. KINSELLA
Speaker

CONTENTS

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

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: David Reeves, National Press Building, Room 926, Tel. 613-947-0609

Published by the Senate
Available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, October 30, 2014

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

Prayers.

SENATORS' STATEMENTS

2014 ONTARIO MUNICIPAL ELECTIONS

Hon. Tobias C. Enverga, Jr.: Honourable senators, it is with great joy that I rise to speak to the Ontario municipal elections that were held last Monday. I would like to start by congratulating Mr. John Tory on his successful bid for the mayoral race in my home city of Toronto. I also wish to congratulate His Worship Jim Watson for convincingly retaining his office in our nation's capital, Ottawa.

Honourable senators, municipal elections will always have a special place in my heart and in my life. Four years ago, I was persuaded to make a leap into public service and run for the Toronto Catholic District School Board. I was successful and became the first Filipino-Canadian elected in the city of Toronto and the first member of a visible ethnic minority ever elected to the board.

Some Hon. Senators: Bravo!

Senator Enverga: I was able to advocate for children and their education. It was indeed two very challenging yet productive years.

Honourable senators, the realm of municipal politics is where many decisions that most affect our everyday lives are made. Municipal politics are about our community centres, our transport and our garbage being taken away. They are about our water running through our pipes and our neighbourhood safety. Buses, libraries and parks are all part of this municipal world. It is therefore such an important process for us citizens to participate in. I want to thank all Ontarians who went to the polls and voted.

Honourable senators, in closing, I want to congratulate all candidates, especially those who ran for the first time. You may not have won your race, but you have taken part in and ensured the continuation of something that Canadians hold sacred. You have gone above and beyond your civic duty and have spent time and money to do public service. This is democracy. This is what Ontarians stood up for after last week's events in Ottawa. This is what we hold dear and will not surrender. This is what we continue to stand up for, no matter the threats uttered or the attacks attempted on our way of life. Canada's founding principles of peace, order and good government will always prevail.

NUNAVUT MINING

Hon. Dennis Glen Patterson: Honourable senators, today I want to speak about two Nunavut mines that truly demonstrate that mining is a win-win for Nunavut.

I'm referring to Agnico Eagle's \$800-million Meadowbank gold mine near Baker Lake in the Kivalliq region, which has been in production since 2010, and ArcelorMittal's Baffinland iron ore mine on the northern tip of Baffin Island, which has recently gone into production. Eventually, up to \$4 billion will be spent on this project.

Let's start with Nunavut's regulatory agencies like the Nunavut Impact Review Board, which demonstrated they can review project proposals in a fair and timely manner and be sensitive to the challenges facing mine project proponents while recognizing concerns of local residents who want to ensure that they receive benefits from mining development and that their environment is protected.

What are the benefits for Inuit of these two mining ventures? Baffinland is just assembling its labour force, but 268 Inuit, or 35 per cent of Meadowbank's workers, are currently employed at the mine, representing an annual payroll of \$19 million. Nunavut businesses, which also have Inuit employees, benefit from providing goods and services to both mines.

That's not all, honourable senators. The Qikiqtani Inuit Association, representing Inuit land claim beneficiaries in Baffin Island, recently reported that it received \$20 million in revenues for its Baffinland Impact Benefit Agreement Fund.

It gets better. Agnico Eagle recently announced that it will expand exploration next year at a promising new gold property named Amaruq, located about 50 kilometres northwest of its Meadowbank gold mine on land that is 100 per cent Inuit-owned with rights to subsurface resources. Meadowbank accounted for 30 per cent of Nunavut's GDP in 2012.

Also on Agnico Eagle's Nunavut inventory is the Meliadine gold project, located 24 kilometres west of Rankin Inlet. Once in operation, it will employ about 700 people.

It's too early to accurately project the astounding impact which the operation of Baffinland and the eventual operation of Meliadine will have on Nunavut's GDP. However, it's noteworthy that in 2013 Nunavut's real GDP increased by 10.5 per cent, the highest in Canada. In its 2014 economic outlook for Nunavut, the Conference Board of Canada forecast that real GDP growth in 2015 will soar to 9.5 per cent.

For the Government of Nunavut, which also expects to receive significant direct and indirect benefits from mining in the coming years, I'm proud to report that our federal government recently announced that formal negotiations will begin on the devolution of land and resource management jurisdiction.

I look forward to providing honourable senators with more updates in the future on the remarkable contribution mining is making to Nunavut's future.

• (1340)

[*Translation*]

ROUTINE PROCEEDINGS

PRIVACY COMMISSIONER

PRIVACY ACT—2013-14 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the annual report of the Office of the Privacy Commissioner of Canada for the period from April 1, 2013, to March 31, 2014, pursuant to section 38 of the Privacy Act.

RECEIVER GENERAL OF CANADA

PUBLIC ACCOUNTS OF CANADA— 2014 REPORT TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Public Accounts of Canada for the fiscal year ending March 31, 2014, pursuant to section 64 of the Financial Administration Act.

[*English*]

CRIMINAL CODE

BILL TO AMEND—FIFTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Bob Runciman, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, October 30, 2014

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

FIFTEENTH REPORT

Your committee, to which was referred Bill C-36, An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in *Attorney General of Canada v. Bedford* and to make consequential amendments to other Acts, has, in obedience to the order of reference of Tuesday, October 21, 2014, examined the said bill and now reports the same without amendment.

Respectfully submitted,

BOB RUNCIMAN
Chair

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

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

UNAUTHORIZED DISCLOSURE OF COMMITTEE REPORT

SIXTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE TABLED

Hon. Bob Runciman: Honourable senators, I have the honour to table, in both official languages, the sixteenth report of the Standing Senate Committee on Legal and Constitutional Affairs, which deals with the investigation into the unauthorized disclosure of a draft report.

INDIAN ACT

BILL TO AMEND—SEVENTH REPORT OF ABORIGINAL PEOPLES COMMITTEE PRESENTED

Hon. Dennis Glen Patterson, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Thursday, October 30, 2014

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

SEVENTH REPORT

Your committee, to which was referred Bill C-428, An Act to amend the Indian Act (publication of by-laws) and to provide for its replacement, has, in obedience to the order of reference of Tuesday, June 10, 2014, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

DENNIS GLEN PATTERSON
Chair

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

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

PROHIBITING CLUSTER MUNITIONS BILL

SEVENTH REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE PRESENTED

Hon. A. Raynell Andreychuk, Chair of the Standing Senate Committee on Foreign Affairs and International Trade, presented the following report:

Thursday, October 30, 2014

The Standing Senate Committee on Foreign Affairs and International Trade has the honour to present its

SEVENTH REPORT

Your committee, to which was referred Bill C-6, An Act to implement the Convention on Cluster Munitions, has, in obedience to the order of reference of October 7, 2014, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

RAYNELL ANDREYCHUK
Chair

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

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

CANADA—KOREA ECONOMIC GROWTH AND PROSPERITY BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-41, An Act to implement the Free Trade Agreement between Canada and the Republic of Korea.

(Bill read first time.)

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

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

[*Translation*]

NATIONAL SEAL AND SEAFOOD PRODUCTS DAY BILL

FIRST READING

Hon. Céline Hervieux-Payette introduced Bill S-224, An Act respecting National Seal and Seafood Products Day.

(Bill read first time.)

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

[Senator Andreychuk]

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

SUPPORTING NON-PARTISAN OFFICES OF AGENTS OF PARLIAMENT BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-520, An Act supporting non-partisan offices of agents of Parliament.

(Bill read first time.)

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

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

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

MEETING OF THE COOPERATION AND DEVELOPMENT COMMITTEE, APRIL 14-16, 2014—REPORT TABLED

Hon. Paul E. McIntyre: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie (APF) respecting its participation at the meeting of the Cooperation and Development Committee of the APF, held in Lomé, Togo, from April 14 to 16, 2014.

MEETING OF THE POLITICAL COMMITTEE, APRIL 15-16, 2014—REPORT TABLED

Hon. Paul E. McIntyre: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie (APF) respecting its participation at the meeting of the Political Committee of the APF, held in Libreville, Gabon, from April 15 to 16, 2014.

MEETING OF THE PARLIAMENTARY AFFAIRS COMMITTEE, APRIL 27-29, 2014—REPORT TABLED

Hon. Paul E. McIntyre: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie (APF) respecting its participation at the meeting of the Parliamentary Affairs Committee of the APF, held in Hanoi, Vietnam, from April 27 to 29, 2014.

[English]

QUESTION PERIOD

ENVIRONMENT

RENEWABLE ENERGY—CARBON PRICING

Hon. Grant Mitchell: Honourable senators, I'm asking a question on behalf of Reverend Frances Deverell from Ottawa, who is concerned about subsidies to oil companies and interested in carbon pricing and the promotion of renewable energy by this government.

• (1350)

First question: Can the government please tell Canadians how it can, in good conscience, continue an economic plan of business as usual when current trends tell us we will have a 6-degree increase in average global temperature within this century with the increasing use of fossil fuels?

Senator Tkachuk: Where did you get that?

Senator Mitchell: That's science.

[Translation]

Hon. Claude Carignan (Leader of the Government): I would like to thank this Canadian for her question and for directing it to me.

Senator Mitchell, if you had the opportunity to discuss the issue with this individual, you surely told her that our government is determined to protect the environment while maintaining a strong economy.

Building on our record, Minister Aglukkaq recently announced three new regulatory tools that will reduce air pollution and greenhouse gases, such as those emitted by cars, trucks and heavy vehicles.

Furthermore, the minister announced that we intend to regulate HFCs, one of the fastest growing and most powerful greenhouse gases.

We have also reduced emissions by the main emitters in Canada, such as the transportation sector and power plants. If you spoke with this individual, you surely told her that we are the first major coal user to ban the construction of coal-fired power plants. Canada is a founding member of the climate and clean air coalition, which is taking immediate action to counter climate change.

We have also made substantial investments to support the energy sector and environmental infrastructure around the world. Since 2006, we have invested heavily in the development of new technologies, better infrastructure, adaptation programs and clean energy.

Thanks to the measures we have introduced, greenhouse gas emissions will be almost 130 megatonnes lower than what they would have been under the Liberals.

[English]

Senator Mitchell: I think Reverend Deverell would say this government is neither protecting the environment particularly well, nor creating the kind of robust economy that could be created if they would understand dealing with climate change is the catalyst for a future, 21st century robust economy.

The second question that Frances Deverell would like to ask the government is: Why does the government maintain subsidies and tax breaks to oil and gas companies that are not available to renewable energy? When will we at least have a level playing field for renewable energy, if not even a slight advantage?

[Translation]

Senator Carignan: I would like to reiterate that we are one of the world's top users of hydroelectric power domestically. We have various energy resources available to us, and hydroelectricity is one of our main sources of energy.

Furthermore, we have taken action within the electricity-generating industry by banning the use of coal. Important efforts are being made in this area, and we want to ensure that this work continues. That is the message you should be conveying to the individual who wanted you to ask that question.

[English]

Senator Mitchell: Reverend Deverell goes on to ask when will we Canadians see a price on carbon to discourage and rationalize the consumption of fossil fuels — and I would add personally — or at least see the regulations on fossil fuels and the development of the oil sands that this government has been promising for well over five years and we haven't seen a thing happen?

[Translation]

Senator Carignan: As you know, Senator, if there is one thing this government has always been very clear about, it's that there will be no increase in the tax burden through a carbon tax, which is what your NDP friends want — specifically, they want to impose additional taxes that will cost \$20 billion. Obviously, our government will not do that.

[English]

Senator Mitchell: Your government doesn't do anything.

[Translation]

FINANCE

ECONOMIC GROWTH

Hon. Céline Hervieux-Payette: My question is for the Leader of the Government in the Senate, and I hope to get an answer to my question.

In 2011 and 2012, Canada's housing market showed an increase of over 40 per cent, which is quite significant. All CMHC-approved guaranteed mortgages are now worth nearly C\$550 billion. The three cities most affected by this housing bubble are Calgary, Toronto and Vancouver. Calgary, like all of Alberta's economy, is heavily dependent on Canada's oil exports, and the Harper government has done everything it can to make the rest of Canada also dependent on those oil exports.

Many of the mortgages issued in Calgary and in Alberta were considered safe when the price of oil was around \$110 a barrel. However, as you know, some time ago the price of oil dropped to around \$85 a barrel.

Since the price of oil has changed by more than 23 per cent since the beginning of the year, has the government assessed the risk of possible foreclosures that could pose a threat to the Calgary housing market and the housing market in general?

Hon. Claude Carignan (Leader of the Government): Thank you for your question, which I was actually able to understand. We continue to monitor the housing market closely. As you know, we intervened prudently in recent years to reduce consumer debt and the risk taken on by taxpayers, by reducing the amortization period for government-insured mortgages to 25 years and by lowering to 80 per cent the maximum amount that mortgage lenders can provide when refinancing mortgages.

As I said initially, we will continue to monitor the housing market very closely.

Senator Hervieux-Payette: I have a supplementary question. Yesterday evening, the Governor of the Bank of Canada, Mr. Poloz, appeared before the Standing Senate Committee on Banking and Commerce. He cautioned the committee members about this sector. Governor Poloz indicated that the drop in oil prices will lead to a reduction in Canada's economic growth. The governor said:

[English]

At this stage, we would estimate that net effect on Canada would be to perhaps take a quarter point off of Canada's 2015 GDP growth. This is sufficient for me to think about it and to be concerned about it.

[Translation]

Does the government realize that the Prime Minister's dream of creating economic growth based solely on oil — which means a lack of diversity in the Canadian economy, a decrease in the sums available to researchers for making new discoveries, and a broadening tax base — has jeopardized our country's economic growth?

More importantly, what does the government plan to do to make up for the lost growth associated with the drop in oil prices? Above all, how does the government plan to realign its economic policy?

Senator Carignan: I see that you are back to your old ways of bringing up various subjects in your question. That makes it difficult to understand the question. From what I understand, you have some concerns about the economy, particularly increasing oil prices. I think that the Canadian economy is doing well. As we have said, more than 1 million jobs have been created, and over 80 per cent of those are full-time jobs.

• (1400)

As you know, we are not immune to the economic ups and downs in the world around us. We must therefore continue to take targeted action. That is one of the reasons why I am pleased

[Senator Hervieux-Payette]

that we are governed by the best Prime Minister in the history of Canada when it comes to the economy. I have complete faith in him, and we must continue to remain vigilant.

Senator Dawson: But not for another eight years.

Senator Hervieux-Payette: I have a supplementary question. I do not think that my question was very complicated. It was related to the previous question, which linked the entire Canadian economy to the oil issue, and I asked you what you were going to do to ensure that our country moves towards diversification.

I understand that in Quebec there will be the Gros-Cacouna project, as well as others, but what other sectors is your government going to consider?

Senator Carignan: We are going to continue to do what we do best and that is focusing on the economy and job creation and taking measures that promote job creation, such as the ones set out in our economic action plans.

As I already explained, because of the strength of our economy, our global economic prospects have once again been recognized, particularly by the International Monetary Fund and the OECD, which are both predicting that Canada will be among the strongest-growing economies in the G7 in the coming years.

I can see that you are pleased with these projections, and we hope to be able to implement all of the necessary measures to continue our work and obtain your support on the upcoming budget updates and votes on economic action plans, so that we can continue to create jobs.

[English]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE

PRESCRIPTION PHARMACEUTICALS—UNINTENDED CONSEQUENCES

Hon. George Baker: My first question is to the Chairman of the Standing Senate Committee on Social Affairs, Science and Technology, which just finished its fourth report on its study of prescription pharmaceuticals in Canada. This report is called *Prescription Pharmaceuticals in Canada: Unintended Consequences*. This is a very important report for the Senate of Canada.

My question is for Senator Ogilvie. I have to say, senators, that, as we know, Senator Ogilvie is a leading expert on biotechnology, bio-organic chemistry and genetic engineering. He developed the "Gene Machine," which is an automated process for the manufacture of DNA. He's also the inventor of a drug used worldwide today to fight infections that occur when one's immune system is weakened. Both of these achievements were recognized in the year 2000 as milestones of Canadian chemistry in the 20th century by the Canadian Society for Chemistry.

How I recall him was from the late 1980s, senators, when he appeared as a mystery guest on "Front Page Challenge," and that was because *Maclean's* magazine had recognized him at that time as a Canadian who made a difference.

Some Hon. Senators: Hear, hear.

Senator Baker: My question to the chairman is this —

An Hon. Senator: Do you agree with all that?

Senator Cowan: Don't stop now, George.

Senator Baker: The report is called *Prescription Pharmaceuticals in Canada*. Of course, these are products intended to improve the health of Canadians. But then there's a subtitle, *Unintended Consequences*.

I'd like to ask the chair of the committee what the most serious example of unintended consequences that our committee found during its study is.

Hon. Kelvin Kenneth Ogilvie: Thank you, Your Honour, and thank you, honourable colleague, for the question. I think perhaps my wisest move would be to just sit down, and I would say that I still present somewhat of a mystery, I think, in some areas.

With regard to this particular question, which is a very important one, obviously any unintended consequence to the recipient of a prescription is a problem for the individual. But in the context of your question, in terms of those unintended consequences having a current and immediate impact, I would say it is the unintended consequences of painkillers which have led to the production of painkillers that are addictive. Or, as we heard in the case of an expert witness before us in our study, many of them can be considered simply legalized heroin.

Indeed, a number of these addictive painkillers lead to addiction in a short time and, depending upon your genetics, can lead to addiction within 48 hours if you take a full prescription.

The other issue is that they are being widely prescribed for pain for which there is absolutely no need for a painkiller of this significance. There are serious questions as to why they are being so widely prescribed by those holding an MD degree.

The second thing in that regard is that many of the prescriptions authorized are not just for perhaps a few days of pills but for up to 200 or 300 pills, we heard in testimony before our committee.

I would say that in terms of the immediate unintended consequence of them having a maximum overall impact, it is in this particular category. We've made a number of recommendations as to how Canada and Health Canada should respond to try to deal with this.

With regard to the long term, however, there is perhaps an even more ominous unintended consequence already emerging, and it has been emerging for a few years, and that is antibiotic resistance. This has been described as having enormous potential to be an international pandemic of major force. Indeed, the Parliament of Great Britain has declared it an international threat on the level of terrorism. The world academies of science have identified it as the major issue facing us in these areas.

So, honourable senator, I would say that we identified a number of unintended consequences, but those two categories are right here, right now affecting the most people with the most significant, overall consequences. In the long term, it would be the addictive drugs and the antibiotic resistance.

Senator Baker: In your answer, you referred to these recommendations and Health Canada. Is Health Canada capable of dealing with these issues that you've raised in this Senate report?

Senator Ogilvie: That is obviously a very important question, senator. I would begin my answer by saying Health Canada, in order to carry out all of its responsibilities, including dealing with the issues that we've identified, requires the tools and the personnel — two categories.

With regard to tools, I have to say that I am absolutely delighted that the Senate passed Bill C-17, which has provided tools that Health Canada desperately needed to protect us against a number of these issues, especially pharmaceuticals that are substandard, causing problems or whatever. Up to that point, they only had the right to suspend a company's products, which meant they had to suspend all of them, an enormously blunt instrument, and they could not recall drugs that were already out there. Bill C-17 gives them an enormously important tool in protecting Canadians in a number of these important areas.

• (1410)

My first answer to you is: They need the tools, and I believe we've just given them a tool that they have needed badly for a long time. It doesn't matter how good your people are if they don't have the tools and the authority to protect Canadians.

Second, in the area of people, I can say from personal experience that I have interacted with some of the most outstanding people I've met on the Hill in the bureaucracies or in Health Canada. I do want to tell you, however, that there was one category in our hearings that did give us some concern in this regard, and that is in the area of prescription pharmaceuticals that are produced abroad and enter our country. These were largely in the area of generic drugs produced in Asian countries. There was considerable evidence that some of the pharmaceutical companies in those areas were producing substandard drugs; that is, drugs in which the active component was not there in the amount that is required, or in a very little amount, and may well have been contaminated. Therefore, Canadians must be protected from those drugs coming into the country and they must be tested. We believe they've got to be batch-tested coming into this country, as some European countries do.

The answers to very serious questions that we posed to a representative of Health Canada in that area were not those that either we felt answered the question or did not give us the information that appeared to be in the answer. That situation gives me some pause. I think it's critical that in any large organization those who are leading it ensure that all of their employees meet the standards of the objectives of the positions that they hold.

Senator Baker: Those are very informative answers.

NATIONAL FINANCE COMMITTEE

PUBLIC ACCOUNTS

Hon. George Baker: My next question, senators, is to the Chair of the Standing Senate Committee on National Finance, Senator Day. Could he explain how the Public Accounts of Canada, which were tabled yesterday, relate not just to the committee but to the supply cycle?

Hon. Joseph A. Day: I thank the honourable senator for the question. It gives me a chance to highlight and thank Senator Smith, the deputy chair of the committee, and all the members of the Finance Committee for the good work they do, and those who were on the committee previously.

The mandate, honourable senators, of the Standing Senate Committee on National Finance is to deal with the estimates generally, which we do, as well as Public Accounts and the reports of the Auditor General. There is one report upcoming of the Auditor General that we're looking forward with anticipation to studying, but in the meantime we will be looking at Public Accounts and machinery of government.

The Public Accounts just came out yesterday, as the honourable senator mentioned in his question. The Public Accounts in the fiscal cycle are after the fact. If you serve on corporate boards or not-for-profit boards, the financial statements you receive are very similar, with all the information that you would want. The Receiver General is required to keep a record of every penny that is spent — not pennies anymore, since we don't have them. Every nickel that is spent is recorded here, and one can glean some very interesting information. The members of the National Finance Committee use this document as one of our resource documents.

Let me, honourable senators, mention a couple of points. One is that the deficit for the fiscal year that ended on March 31 of this year — so that would be 2013 and the early part of 2014 — was \$5.2 billion. We heard lots of speculation, but this is the one for the fiscal year ending March 31.

That means that the total accumulated debt is now \$611.9 billion, if you add that \$5 billion. The total accumulated debt is \$611 billion. This is all recorded here.

Honourable senators, there are a lot of other figures and I don't have time to go into them, but that's the kind of background information that you should be aware of. Revenue in that fiscal year was raised by \$15 billion. The government got, through income tax receipts and other sources, \$15 billion more than previous. The deficit the earlier year was \$18 billion. With the increased revenue and with a reduction of almost a billion dollars in debt financing by reason of interest rates being at rock-bottom, you would have anticipated that the deficit for one year would have been a lot less than \$5.2 billion.

Those are the kinds of questions that honourable senators will want us to look into. There are pensions involved here as well.

I was asked to provide a flavour of how this fits into the fiscal cycle. Ministers of the Crown have all of their expenses listed here, which is an interesting thumb through the various documents. I find that for the Leader of the Government in the Senate for the period April 1 to July 14, one quarter of the year, total personnel expenses were \$271,000.

An Hon. Senator: Wow!

Senator Day: If you flip over to see what honourable senators were spending and find the same name of the honourable senator, another \$136,000 was spent in relation to research, staff and other expenses.

Honourable senators, I can give you comparative figures. Senator Day: \$159,000.

There's very valuable information in these Public Accounts. Having said that, our Finance Committee doesn't have the time to study these documents to the degree we'd like to because it has been decided over the years that it's more important for us to look at what is anticipated for the future. That is what we deal with in relation to supply documents that are forthcoming.

Senator Baker: Thank you for that answer. It's interesting that an ordinary elected member of Parliament has more money at his disposal than the Leader of the Government in the Senate has at his disposal.

Senator Tardif: You misunderstood.

Senator Baker: That's not true, the budget of a member of Parliament?

Let's complete the question, complete the cycle. Could you explain how the omnibus budget bill that is being presented would relate directly to the Public Accounts?

Senator Day: The omnibus budget bill is one of the bills that flow from the budget. The budget comes front-end in March, and there are two ways that budget initiatives are funded. One is through statute, so statutory funding, and the other is through estimates. We don't have the estimates. You asked about the budget implementation. That's the statutory side as opposed to the estimates side. There are two or three new statutes in this document, and they authorize a lot of changes and amendments to statutes that go along the way. We will be beginning our work on this, and I believe there's a motion on the Order Paper with respect to how this is going to be handled.

• (1420)

The fact that we're dividing this document, the budget implementation bill, into a number of committees is recognition by this Senate that we feel this is more than there should be in one bill and it's more than should be dealt with by one committee. What bothers me about this is that, even though other committees will be studying it, we haven't gone all the way and split the bill up into three or four different parts for the three or four different committees; rather, we're asking those committees to study it, and then we're saying: "Finance, you do the clause-by-clause on the whole bill — all those other clauses as well."

That, I think, is the next step. We've got to divide this legislation into committee work and let the committees take it clause by clause on the work they're doing.

Thank you very much for your question.

ORDERS OF THE DAY

ADJOURNMENT

MOTION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of October 29, 2014, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, November 4, 2014 at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

ECONOMIC ACTION PLAN 2014 BILL, NO. 2

CERTAIN COMMITTEES AUTHORIZED TO STUDY SUBJECT MATTER

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of October 29, 2014, moved:

That, in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject matter of all of Bill C-43, A second Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures, introduced in the House of Commons on October 23, 2014, in advance of the said bill coming before the Senate;

That the Standing Senate Committee on National Finance be authorized to meet for the purposes of its study of the subject matter of Bill C-43 even though the Senate may then be sitting, with the application of rule 12-18(1) being suspended in relation thereto; and

That, in addition, and notwithstanding any normal practice:

1. The following committees be separately authorized to examine the subject matter of the following elements contained in Bill C-43 in advance of it coming before the Senate:
 - (a) the Standing Senate Committee on Banking, Trade and Commerce: those elements contained in Divisions 1, 9, 12, 18, 22, 26, and 27 of Part 4;
 - (b) the Standing Senate Committee on Transport and Communications: those elements contained in Divisions 2, 6, 10, 11, 16, and 21 of Part 4;
 - (c) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 5, 7, 17, 19, 20, and 24 of Part 4;

(d) the Standing Senate Committee on Energy, the Environment and Natural Resources: those elements contained in Divisions 3, 28, and 29 of Part 4; and

(e) the Standing Senate Committee on Foreign Affairs and International Trade: those elements contained in Division 15 of Part 4;

2. The various committees listed in point one that are authorized to examine the subject matter of particular elements of Bill C-43 submit their final reports to the Senate no later than November 27, 2014;
3. As the reports from the various committees authorized to examine the subject matter of particular elements of Bill C-43 are tabled in the Senate, they be placed on the Orders of the Day for consideration at the next sitting; and
4. The Standing Senate Committee on National Finance be simultaneously authorized to take any reports tabled under point three into consideration during its study of the subject matter of all of Bill C-43.

She said: Honourable senators, pursuant to Rule 5-10(1), I ask for leave to modify this motion.

The Hon. the Speaker: Is leave granted to modify the motion?

Hon. Senators: Agreed.

MOTION IN MODIFICATION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government): Therefore, honourable senators, I move that the motion be modified by:

1. Deleting Division 1 of Part 4 from paragraph (a), which deals with study by the Standing Senate Committee on Banking, Trade and Commerce;
2. Deleting Division 19 of Part 4 from paragraph (c), which deals with study by the Standing Senate Committee on Social Affairs, Science and Technology; and
3. Adding, at the end of paragraph (e) after the semi-colon, the following:

“(f) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Division 4 of Part 4;”.

Hon. Joan Fraser (Deputy Leader of the Opposition): Your Honour, if Senator Martin is willing to explain the basic thrust of her modified motion to the chamber I will have some remarks of my own. I don't know whether Senator Smith needs to speak at this moment or is willing to hear me and, I hope, Senator Martin. I'm willing to yield if he has a pressing need.

The Hon. the Speaker: Explication is being sought. I'll invite the proponent of the motion to take the opportunity to explain the motion in modification.

Senator Martin: I'll be brief in quickly responding to what Senator Fraser has just asked.

As all honourable senators are aware, the motion is on our Order Paper, as I had given notice yesterday. We have had some discussion outside of our chamber sitting, and I'm also aware that Senator Smith, deputy chair of the National Finance Committee, along with the chair of the committee, Senator Day, also had some discussions and they met. Senator Fraser and I have our ongoing discussions daily.

Senator Fraser brought to my attention certain items that she wished to be moved to different committees, so it was to the division of items to be studied by respective committees that she had made some changes. I had discussions with the leader's office, and with Senator Smith, and it is my understanding that Senator Day and Senator Smith have discussed this at length. They have agreed. Therefore, the motion that I am putting forward to modify my motion that's on the Order Paper is in agreement with the chair and the deputy chair of the Finance Committee.

Senator Smith will further explain as to why certain items are referred to one committee rather than another, as Senator Fraser brought to my attention.

At this time, the modification to my motion is simply based on the discussions of the chair and the deputy chair and the agreement that was reached.

I put forward this motion to modify my original motion that's on the Order Paper based on these discussions that have taken place and the agreement that had been reached.

Hon. Jane Cordy: Honourable senators, we've got the budget implementation bill, so you're asking that the Standing Senate Committee on Banking, Trade and Commerce deal with parts of it; the Standing Senate Committee on Transport and Communications deal with part of it; the Standing Senate Committee on Social Affairs, Science and Technology deal with part of it; the Standing Senate Committee on Energy, the Environment and Natural Resources deal with part of it; the Standing Senate Committee Foreign Affairs and International Trade deal with part of it; the Standing Senate Committee on Legal and Constitutional Affairs deal with part of it; and, of course, the Finance Committee, who should ultimately be the one dealing with the budget bill anyway, will be dealing with it. So, seven Senate committees will be dealing with the budget implementation bill; would that be correct?

Senator Martin: As to what is on the Order Paper today, we have the committees that are listed: Banking, Trade and Commerce; Transport and Communications; Social Affairs, Science and Technology; Energy, Environment and Natural Resources; Foreign Affairs and International Trade; and, of course, the Finance Committee. I think that is six.

Senator Cordy: Seven committees of the Senate will be dealing with the budget implementation bill.

Senator Martin: Senator, I count six.

Senator Cordy: The Finance Committee is not —

Senator Martin: And Legal, yes.

Senator Cordy: Seven Senate committees will be involved in dealing with a budget implementation bill. That seems a little excessive to me, and perhaps it is because this is an omnibus bill. But just the number of government officials alone would likely be over 100, not all from the Department of Finance but from various departments, and they will be dealing with a budget implementation bill. It seems unusual and bizarre.

Senator Fraser: Pre-studies, in general, are tools that I believe should be handled with the very greatest caution and only when there's a very good reason to do them. Normally, there are two great categories of such reasons.

• (1430)

One is if there is time pressure and the Senate believes that it will do its work better if it has done a pre-study of a bill that the Commons will not get around to sending us in proper time.

The second reason, the great example that always sticks in my mind, is when the Senate believes that it can have a salutary influence on legislation before the House of Commons, and the example to which I refer is the original Anti-terrorism Act, where the Senate did an extremely influential pre-study on that bill. It had a great influence on the way the bill was handled and amended in the House of Commons.

This bill, if it qualifies for pre-study, qualifies under the first ground. It is always considered by the House of Commons that they don't need to bother sending us stuff until they feel good and ready, but then, once they do, we're supposed to pass it lickety-split. We're getting used to that.

An Hon. Senator: No, we're not.

Senator Fraser: I don't like pre-studies.

Senator Robichaud: We're not getting used to it.

Senator Fraser: We should not be getting used to it. I would agree with that, Senator Robichaud. It has become a tactic used considerably more often than, in my view, it needs to be used, but on our side we do not have a majority of the votes to prevent it.

So this motion is for pre-study of an omnibus bill, Bill C-43, which, as has become all too often the habit of this government, is, in fact, a grab bag of legislation all disguised as budget implementation. There's way more in this bill than budget implementation. That is why it is, in my view, not only appropriate but necessary if we are going to do a pre-study to have that pre-study done by the various committees that have understanding of the many elements in this grab bag.

The Standing Senate Committee on National Finance is the logical place to study not only budgets but some of the elements of the grab bag. For example, the amendment that Senator Martin brought in today to her motion would have the National Finance Committee examine changes to the Industrial Design Act and the Patent Act. This is the committee that has expertise in this area.

She also has agreed to have the National Finance Committee examine the number of full-time and part-time members of the Social Security Tribunal. One might think social security was a

subject for the Social Affairs Committee, but in fact it was the National Finance Committee that passed the legislation setting up this tribunal. They know what it's all about. They're obviously the appropriate committee to study that.

Senator Martin's amendment — and I thank her for this; it's the result of consultations that we had — will also send a reference to charitable and religious organizations carrying out, with the use of a computer, certain operations relating to a provincially licensed lottery scheme, it will send that section of the bill to the Legal and Constitutional Affairs Committee. This is appropriate for two reasons. One, that particular part of the grab bag constitutes an amendment to the Criminal Code of Canada, and we always send amendments to the Criminal Code to the Legal and Constitutional Affairs Committee, but also that is the committee that has some degree of expertise in this area, most recently in its study of the sports betting bill, of which we are all aware.

So it's appropriate, in my view, to divide up the grab bag and send it to different committees. It is also appropriate, given the "get it done quick, quick, quick" approach to budget legislation, to set deadlines for the committees that study the various parts of this bill to report to the Senate. They will also be submitting their reports to the National Finance Committee, I assume, but I think it is not unreasonable to suggest that those committees should tell the Senate in reports what they have found by the end of November.

I think it's unfortunate that Senator Martin's motion did not also include a requirement for the National Finance Committee to report on the results of its global pre-study to the Senate.

I also think that there are some other less-than-perfect, shall we say, elements to this motion, and there is one in particular that I wish to draw to your attention, colleagues. In this grab bag omnibus bill, Division 17 of Part 4 amends the DNA Identification Act. The government proposes that the pre-study of Part 4 of Division 17 be done by the Social Affairs Committee and that may also sound reasonable, particularly because, as Senator Baker reminded us just a few moments ago, the chair of that committee, Senator Ogilvie, is a world-recognized expert in DNA and associated scientific matters, and I bow before his expertise. However, this particular element of the bill is much less concerned with the scientific nature of DNA than it is with the law.

This particular portion of the bill would create new indices in the National DNA Data Bank to provide DNA profiles for missing persons, from their relatives and from human remains to assist law enforcement agencies. Think about that for a moment, colleagues. At the moment, you're not allowed to collect DNA profiles for index purposes from human remains, but if you had a missing child, wouldn't you want to know that the body of an unidentified person that had been found at the other end of the country was in fact that of your child? DNA could tell you that. There's a lot of good in what's being proposed here. The question is: Are the fine details good? If so, how should we study it?

There is more. There will be a new index for DNA profiles from victims of designated offences to assist law enforcement agencies. There will be new criteria for adding and retaining DNA profiles in and removing them from the new indices, and for transferring profiles between indices. It is to be specified which DNA profiles

in all of the indices may be compared with one another. The bill specifies the purposes for which the Commissioner of the RCMP may communicate the results of comparisons of DNA profiles and the purposes for which that information may be subsequently communicated, and the bill will specify the uses to which the results of comparisons of DNA profiles may be put — catching bad people, clearing good people.

Now, it happens to be the fact that since the very inception of legislation on forensic DNA the topic has been studied exhaustively at length by the Legal and Constitutional Affairs Committee — and I do mean exhaustively; hours and hours of instruction not only in the science but, more important, in the legal and police implications of what we were doing with that law. The Legal and Constitutional Affairs Committee is the one that has examined every piece of legislation on this topic to come before the Senate. It is the committee that has done very long and very complete studies — as some of my colleagues opposite will recall — on this matter. I would submit, therefore, colleagues, that the Legal and Constitutional Affairs Committee is best suited to study that matter.

MOTION IN AMENDMENT

Hon. Joan Fraser (Deputy Leader of the Opposition): Therefore, honourable senators, I move:

That the motion, as modified, be not now adopted but that it be amended:

A. By adding, after the first paragraph, the following new paragraph:

"That the Standing Senate Committee on National Finance submit its final report on the subject matter of all of Bill C-43 to the Senate no later than December 4, 2014;"

B. by replacing, in point one, paragraph (c) by the following:

"(c) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 5, 7, 20, and 24 of Part 4;" and

C. by replacing, in point one, paragraph (f) by the following:

"(f) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Divisions 4 and 17 of Part 4;"

• (1440)

The Hon. the Speaker: Honourable senators, it is moved by the Honourable Senator Fraser, seconded by the Honourable Senator Munson, that the motion in modification before the house be further amended —

Shall I dispense?

Some Hon. Senators: Dispense.

The Hon. the Speaker: Honourable senators, I take it that a copy of Senator Fraser's amendment is being circulated?

Senator Fraser: Your Honour, it was completed only as we were sitting. I have a spare copy, and if the table would be willing to photocopy it, I would be glad to have it circulated. It's just one page, colleagues, and all it does is the two things I suggested.

The Hon. the Speaker: Honourable senators, I will read it slowly, then. It was moved by the Honourable Senator Fraser, seconded by the Honourable Senator Munson:

That the motion, as modified, be not now be adopted but that it be amended:

- A. By adding, after the first paragraph, the following new paragraph:

“That the Standing Senate Committee on National Finance submit its final report on the subject matter of all of Bill C-43 to the Senate no later than December 4, 2014;”;

- B. by replacing, in point one, paragraph (c) by the following:

“(c) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 5, 7, 20, and 24 of Part 4;”;

- C. by replacing, in point one, paragraph (f) by the following:

“(f) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Divisions 4 and 17 of Part 4;”.

Is there debate on the further amendment of Senator Fraser?

Hon. Larry W. Smith: To put this in perspective, Senator Day and I met yesterday afternoon when some of these issues came up. There are a number of issues.

So that everyone can understand, Division 1, Part 4, was an issue to be discussed. Division 4, Part 4, is second; then Division 5, Part 4; Division 7, Part 4; Division 13, Part 4; and Division 17, Part 4. Senator Day brought up another issue that was important to discuss, Division 22, Part 4. There was also Division 25, Part 4; and Division 19, Part 4. There were about eight or nine issues that were brought up. The purpose of our discussion was to try to come to some solution because the government had recommended examples. Division 1, Part 4, would go to Banking, Trade and Commerce. In discussing this particular issue with Senator Day, he felt it was important that it go to the Finance Committee. We agreed, on the basis of that discussion, that it should go to Finance.

Second, Division 4, Part 4, amends section 207 of the Criminal Code to permit charitable religious organizations to carry out, with the use of a computer, actions related to lottery schemes. We had asked that it go to National Finance, and it was recommended by the Liberal side that it go to Legal. In discussion with Senator Day, we had some sense that, probably, National Finance would be the place it would go.

As we went through these various issues and had discussions, we met compromise in probably 50 per cent of the issues and felt that we would pass this information on, which we did. My

understanding was that the chiefs of staff from both sides, for the Liberal side and our side, met earlier today. What we came up with in terms of what I understand from the resolution that was passed on to me was that Division 1, Part 4, would be handled by Finance. Division 4, Part 4, would be handled by Finance. Division 5, Part 4, would be handled by Social Affairs. Division 7, Part 4, would be handled by Social Affairs. Division 13, Part 4, would be handled by Finance. Division 17, Part 4, which was very eloquently discussed by Senator Fraser, would go to Social Affairs, as opposed to Legal, because it was felt, at the time, that dealing with new indices of DNA profiles was not necessarily a legal issue, respecting the work that Legal has done on this particular subject. It was thought that someone such as Senator Ogilvie, with his knowledge and depth of experience, would be the proper person, in that Social Affairs Committee, to be able to handle such an issue. So it would be handled by Social Affairs.

Division 22, Part 4, would be handled by Banking. Division 25, Part 4, would be handled by Finance. Division 19, Part 4, would be handled by Finance.

In our discussions together, we tried to come up with a good form of compromise, which we felt was in place, as of today, when the two representatives had spoken to the leadership of both sides. That's the point that we're at coming into today's discussions. I want to put the matter in perspective because, yes, there were some changes, but I don't think they were numerous. I think they were well thought through and positioned in such a way that there would be satisfaction from both sides of the Senate.

Senator Fraser: Would Senator Smith (*Saurel*) take a question?

Senator L. Smith: Yes, and I hope I can answer it, Senator Fraser.

Senator Fraser: I'm just curious on what authority the National Finance Committee is deciding about work to be assigned to other committees. I can understand the National Finance Committee looking at work assigned to itself and seeking to have certain work assigned to itself, but what gives National Finance any particular role in deciding what gets studied by Social or Banking or Legal?

Senator L. Smith: I'm sorry; I should probably have been better at explaining what we actually did. The most important element of our discussion was the issues that were to be debated or studied by National Finance. Those were the ones that Senator Day and I focused on. Basically, the other issues we had some thoughts on, but what we were most preoccupied with was trying to handle, in a fair way, direct issues related to National Finance.

According to feedback that we received from the people that work on our side, with the example of the DNA issue, it was honestly felt that that was more of a technical issue that may not be a legal issue and that someone such as Senator Ogilvie would be very competent to handle it. I'm not saying that Senator Day and I made decisions for other groups. What we did was try to discuss it and make sure that we could come to some sort of a solution that may be acceptable to both sides. That's what our role was in this. We did not decide this. Any decisions would have to be made by representatives from both sides of the house here.

The Hon. the Speaker: Senator Robichaud is asking for the floor.

[*Translation*]

Hon. Fernand Robichaud: I am stuck between a rock and a hard place. I absolutely do not approve of these massive omnibus bills, especially when they have to be studied so hastily. This process is inconsistent with the constructive exchanges that are the norm in the Senate. In my view, this process is undemocratic. Accordingly, if I support the motion in amendment before us, then in a way I am supporting this undemocratic process.

• (1450)

In no way do I want to support this. I would like to ask your advice, but I know that you are not here to advise us. You are here to conduct the business of this chamber. I think I will not support this motion in amendment just as I will not support the motion that proposes to proceed with an omnibus bill. I will abstain from the vote.

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

Hon. Senators: Yes.

[*English*]

The Hon. the Speaker: The first question is the motion in amendment moved by the Honourable Senator Fraser, seconded by the Honourable Senator Munson.

Do I need to read it?

Senator Martin: Question.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

The Hon. the Speaker: Clearly, the “nays” have it.

Senator Fraser: On division.

The Hon. the Speaker: On division.

We are now dealing with the motion in modification by the Honourable Senator Martin, seconded by the Honourable Senator Marshall, which has been circulated. Shall I dispense from reading from it?

Some Hon. Senators: Dispense.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

The Hon. the Speaker: Contrary-minded, “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: The motion carries. On division?

Senator Fraser: On division.

(Motion agreed to, as modified, on division.)

POPE JOHN PAUL II DAY BILL

THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Fortin-Duplessis, seconded by the Honourable Senator Plett, for the third reading of Bill C-266, An Act to establish Pope John Paul II Day.

Hon. Jane Cordy: Honourable senators, I am pleased to rise today to speak at third reading of Bill C-266, An Act to establish a national Pope John Paul II day. As you know, if passed, this bill will recognize that April 2 of each year on the Canadian calendar will be known as “Pope John Paul II Day.”

Pope John Paul II led the Catholic Church from 1978 until his death on April 2, 2005. At just over 26 years, he was the second-longest serving Pope in the history of the Catholic Church and for a whole generation of Catholics the only Pope they ever knew. His influence on the world’s Catholic youth cannot be overstated. His focus and active engagement of youth is one of his greatest legacies. He was affectionately nicknamed “Wujek,” or “uncle,” in his early life in the priesthood, a nickname that stuck with him for his entire life.

Karol Józef Wojtyła was officially ordained to the priesthood in Krakow in 1946 and between 1946 and 1958 he performed pastoral duties in Poland. In 1958 he was appointed bishop at the age of 38 and was the youngest bishop ever appointed in Poland. Six years later, Bishop Wojtyła was appointed archbishop. In August 1978 he was elected Pope and adopted the name of Pope John Paul II.

Pope John Paul II was canonized by Pope Francis on April 27, 2014, and is now known as Saint John Paul II. Saint John Paul II’s first universal feast day after his canonization was celebrated last week, on October 22, the anniversary of his papal inauguration. Traditionally, the feast of a saint is held on *dies natalis*, which is the day of one’s death or their arrival in heaven.

Pope John Paul II died on April 2 but that day usually falls during Holy Week. To guarantee the day will be solemnly celebrated every year, the Vatican has decided that his day of liturgical memory will be on October 22, the anniversary day of the mass for the inauguration of his pontificate.

As I stated in my speech at second reading of this bill, Pope John Paul II was faced with many challenges as Pope and they bear repeating. He played an active role as an agent of positive change in the geopolitical landscape during his time as Pope. He was witness to the escalating Cold War of the 1980s, the oppressive apartheid regime in South Africa and the terrorist attacks of 9/11. Pope John Paul II wasn't a silent witness to these displays of human oppression and acts of atrocities. He remained an active force for peace and a voice against oppression throughout these times.

Historians and supporters frequently point to his opposition to communist rule in Europe, particularly Poland, his homeland, as his greatest contribution to world peace. A year after being elected Pope, John Paul II made his first official pilgrimage to Poland as Pope. During this visit he defied the communist regime with messages advocating freedom and human rights, while denouncing violence. His simple message of "do not be afraid" resonated with the millions of his countrymen who attended his masses. His message became a unifying force for the political movement which followed. This initial trip to Poland by Pope John Paul II is credited by many as a catalyst that set in motion the events which would see the peaceful end of communist rule in Poland and ultimately all of Europe. It is certainly hard to overstate the importance he had on the fall of communism. I'm sure many Canadians who lived in those communist countries at the time can attest to that. Mikhail Gorbachev credits Pope John Paul as the true agent of change and said, "It would have been impossible without the Pope."

June 12, 1987, was his first visit to the city of Gdansk, which had given birth to solidarity. The Pope celebrated mass, which was dedicated to the workers of Poland. Over a million people attended. The mass gave the Polish people the strength to continue to fight for change.

Lech Walesa attended this mass. He spent the day hiding in a church because he was afraid the authorities would detain him while the Pope was saying mass. Mr. Walesa was then taken through the crowds by the priests to attend the celebration of mass by Pope John Paul II. This visit to Gdansk in 1987 was pivotal in the fight against communism by the people of Poland.

A few years ago, when I was in Warsaw, I drove down Pope John Paul II Boulevard and everywhere I went in the city the people spoke of Pope John Paul II with great love and admiration. As Pope, John Paul II improved relations between the Catholic Church and many world faiths, in particular with the Jewish and Islamist faiths.

Pope John Paul II became the first Catholic Pope to enter and pray in a mosque. He was the first Pope to visit the Auschwitz concentration camp. He became the first Pope known to have made an official papal visit to a synagogue and to establish formal diplomatic relations between the Holy See and the State of Israel.

[Senator Cordy]

His message was always one of forgiveness and love. He always celebrated commonalities rather than focusing on differences. His efforts did not go unrecognized. After his death, the Anti-Defamation League made the statement that Pope John Paul II had revolutionized Catholic-Jewish relations and that "more change for the better took place in his 27-year papacy than in the nearly 2,000 years before."

As a witness to the atrocities of war during World War II and the evils of communist rule in Poland, it is not hard to understand why John Paul II devoted his life to peace, inter-faith understanding and change through non-violent means. The fact that he spoke a dozen languages was a great tool for connecting with people all over the world. He served as a guiding light for change. His deep compassion for his congregation fostered devotion and love. It is easy to understand why he was and still is an inspiration to many. This devotion was probably felt strongest among the Catholic youth of the world. If his role in the fall of communist rule in Europe and his inter-faith outreach are his legacies to the world, then his devotion to youth is his legacy to the Catholic Church.

John Paul II made engaging the youth of the world a priority for the Catholic Church. It is not too cliché to say that the future belongs to today's youth and John Paul II made recognizing this a priority for the church. He believed that connecting with youth and instilling in them the teachings of God and filling their hearts with love and understanding would help to ensure positive change in the world.

As the only Pope an entire generation of Catholics knew, his warmth, compassion and generosity of spirit, his messages of peace and understanding were largely inspirational for that generation and they continue to carry that influence with them through their lives today. Saint Pope John Paul II's impact on the world, not only during his time as Pope, but also on the world today, is immeasurable.

• (1500)

There's no question that Karol Józef Wojtyła led an important life and, by the grace of God, found his calling in the priesthood. In the Canadian Parliament, we have recognized John A. Macdonald and Wilfrid Laurier with special days. The Lincoln Alexander Day Bill passed the Senate and is now in the House of Commons.

Several concerns about this bill were raised in the Senate at second reading and in the other place about the observation of a day dedicated to a religious leader. Is it appropriate for Parliament to do so in a pluralistic society, as Senator Ogilvie asked Senator Mercer at second reading? Senator Mercer questioned whether this recognition should be given by the Catholic Church, as it has already done since Pope John Paul II passed away, and not necessarily by Parliament.

Now that Pope John Paul II has been canonized, he is known as Saint Pope John Paul II, yet this bill recognizes him as Pope John Paul II. Most Canadians recognize the immense force of good that Pope John Paul II was on the world, but the Catholic Church continues to have no female priests, no female cardinals

and no female popes. After my second reading speech, Senator Ogilvie asked about the role of women in the church, and I thought he made an excellent point. I suggested that this point and others that were raised during the debates should be discussed at committee with witnesses. However, when I read the transcript of the hearings, there was only one witness at committee, the sponsor of the bill, Mr. Lizon; so these issues were not discussed at committee.

These are questions I was hoping would be addressed in committee during the study of this bill. However, they were not, and I pose them now for all senators to consider. I don't have the answers to these questions, and I'm really unsure whether there are definite answers to these questions. Are the answers important? Or are we recognizing a person who is not perfect, as none of us are, but who has accomplished much during his life?

As I said at second reading of this bill, my belief is that this proposed legislation is a testament to the achievements of a man shaped by war and tyranny who, by the grace of God, found his calling in the priesthood and ultimately evolved into a world leader and an agent for peaceful, positive change in the world. The achievements emphasized in the text of Bill C-266 focus on his actions to topple oppressive regimes and instill democratic change. These actions benefited people of all religious beliefs within those countries, not just Catholics. His ability to reach out to other faiths helped to spread a message of peace and understanding. His constant message of peace, justice and respect for human rights continues to be an inspiration to us all.

Hon. Kelvin Kenneth Ogilvie: Will the honourable senator accept a question?

I want to say how well I thought you handled the questions I posed in your earlier speech. Your answer was excellent in that you anticipated that the committee studying the bill would deal with those and other matters. I, too, was greatly disappointed to see that the committee apparently had not considered any of the serious matters outside the issues put forward by the sponsor of the bill. It flies in the face of what I've generally heard as being the important role of Senate committees in leading to advice to the Senate with regard to issues that are complicated and have a number of critical issues: the issues that you identified; the role of church and state; and the role of women in the church, and so on.

I'd like to ask you an additional question that was not answered or even discussed by the committee. We know that the church does not recognize women as having a role as human beings with an equal status within the church in any form. From what I understand, I believe that gays and lesbians aren't even recognized as persons within the normal opportunities of the church and the religion. I don't expect you necessarily to have all the answers, but would you have a comment on that? Do you agree that this is at least something that might well have been considered by the committee?

Senator Cordy: This is definitely your day, Senator Ogilvie. That's an excellent question, although I'm not sure that I can actually answer it. Certainly, this could have been considered at committee. In light of issues raised during discussion at second reading, I was disappointed to see that there was only the sponsor

of the bill who appeared as a witness before the committee. Certainly, gays, lesbians and the transsexual community have been excluded from full participation in the Catholic Church, which is my church, by the way, and my church is very important to me.

I've been paying close attention to the synod of bishops who met recently in Rome. I have the decree or message that they set out in October this year. I've read it but still have it in my reading book to reread. I was very impressed with Pope Francis and his willingness to have an open dialogue on the issue of gays, lesbians and transsexuals. It appeared to me that he wants the church to be more inclusive. That hasn't happened as a result of the recent synod. I have my fingers crossed that at least the dialogue has started within the church and that we become more inclusive.

It would have been very interesting if the issue that you raised about gays, lesbians and transgendered people being excluded from the church had been discussed at committee. I'm sure that we could have had representatives from that community, as well as women, who would be willing to be present to talk about whether they felt excluded from full participation in the church.

As well, we could have discussed other issues related to the separation of church and state. I think that would have been very interesting because very good questions were raised by people within the Senate, which is where they should be raised. When I answered you, it was not that I wanted to avoid the answer, but it was with the expectation that it would be dealt with at committee. Unfortunately, from my perspective, that was not the case. Certainly, you've raised another excellent point. Maybe Pope Francis should be the one we are naming a day for.

Senator Ogilvie: That was an excellent response. Based on the issues currently going on in the Holy See and the role of Pope Francis in this, he might well become an individual who can reach beyond the role of leader of a major church and his impact in society as a whole.

I want to come back to the two issues: the role of women, who are 50 per cent of the Canadian population; and gays and lesbians, who are 10 per cent of the population. Apparently, we will create a day that recognizes an individual who does not include over 50 per cent of the Canadian population within the normal operations and expectations of reason within the church. I'm not sure whether you have anything further to say on that.

The Hon. the Speaker *pro tempore*: Senator Cordy will need more time before she gives her answer.

Senator Cordy: Honourable senators, may I have five minutes?

Hon. Senators: Agreed.

Senator Cordy: You said that women are 50 per cent of the population, but I think it's 52 per cent. You said that gays and lesbians are 10 per cent, but my guess is that's an underestimation because of the stigma attached. I would guess those numbers are higher.

As I said in my speech, I don't have the answers. I don't know what the answers are. Each individual senator in this place has to make that decision when we come to vote. It's almost a Catch-22. Saint Pope John Paul II has done tremendous things in his life. Some feel we should have the separation of church and state. Certainly, you raised the point of the exclusion of many people in our society that took place while Pope John Paul II was pope. That's a decision each of us has to weigh when looking at whether to name a day for him in consideration of what he has done and perhaps what he hasn't done. It's a big decision for each of us to make. Fortunately, it's a private member's bill, so we should all vote as we see fit.

Interestingly, the two days of honour we have are for men; and a similar bill in the House of Commons is for Lincoln Alexander day. I did some research, and perhaps there are some wonderful Canadian women we should be naming days for, such as Elizabeth Smellie, a nurse who served in both world wars and was the founder of the VON. Jean Flatt Davey was the first woman doctor to enlist in the Royal Canadian Air Force. Leila Wightman was the first woman telephone operator. Then there's Emily Murphy and Nellie McClung, of course — who can forget the Persons Case? Or, perhaps we could just have "The Famous Five Day." Cairine Wilson was the first woman senator; Catherine Callbeck from Prince Edward Island, the first woman elected premier; Charlotte Whitton, the first mayor of a major city; Daurene Lewis, the first Black woman to become mayor — that was in your area. Senator Ogilvie — of Annapolis Royal in Nova Scotia. We could go on and on with Roberta Bondar and many other famous women.

• (1510)

The Hon. the Speaker *pro tempore*: Is this a question for Senator Cordy or is it on debate?

Hon. David P. Smith: It is a question, Your Honour.

I have great respect for Pope John Paul II — in fact, 30 years ago I had a 40-minute private conversation with him — but my concern is the precedent here. If we do this, what if the evangelical community says let's have a Billy Graham day, or the Lutherans might say, "We want a Martin Luther day?" The Presbyterians might want a John Knox day, and the United Church might want a Jim Munson day.

My point is how do you say yes to one group and no to all the other groups? I have real reservations about a precedent such as this, because other popes might be nominated, too.

What's your reaction to the precedent and all the other groups who might want someone from their denomination honoured — the Muslim community, the Hindu community, perhaps a Buddha day? It's a long list.

Senator Cordy: You've actually raised an excellent point. I think Senator Day raised that during a previous discussion of the bill. Perhaps as parliamentarians, or perhaps at the ministerial level, we should be looking at what criteria we should establish. I

[Senator Cordy]

don't know if there are criteria. I thought there were, but when I researched, I was given the understanding that there aren't. Perhaps we should have criteria for the naming of days for people.

Senator Smith, you've raised an excellent point. Every senator or member of the House of Commons who brings forward a bill to name a day in honour of a person does so with the best of intentions. The intention is to underscore the importance that that notable person has played in the country of Canada. However, perhaps we should look seriously at developing criteria for having a day named after an individual in this country.

Some Hon. Senators: Hear, hear.

[Translation]

The Hon. the Speaker *pro tempore*: Senator Fortin-Duplessis, is this a question for Senator Cordy, or is it on debate?

Hon. Suzanne Fortin-Duplessis: I have a comment in answer to Senator Cordy's questions.

The Hon. the Speaker *pro tempore*: If you speak now, Senator Fortin-Duplessis, you will close the debate. I will therefore recognize the Honourable Senator Merchant.

[English]

Hon. Pana Merchant: It is not a question.

The Hon. the Speaker *pro tempore*: It is on debate? If I give the floor to Senator Fortin-Duplessis, that will close the debate.

Senator Merchant: No. I wish to move the adjournment of the debate.

(On motion of Senator Merchant, debate adjourned.)

CANADA BORDER SERVICES AGENCY ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Mercer, for the second reading of Bill S-222, An Act to amend the Canada Border Services Agency Act (Inspector General of the Canada Border Services Agency) and to make consequential amendments to other Acts.

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I see that this bill is at day 15 and it is adjourned in my name. Senator Moore and I have talked about the importance of this bill. I wish to ask that it be adjourned for the balance of my time.

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

(On motion of Senator Martin, debate adjourned.)

INCOME TAX ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Maltais, seconded by the Honourable Senator McIntyre, for the second reading of Bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations).

Hon. Diane Bellemare: Honourable senators, first, I wish to thank Senator Cowan for allowing me to speak at second reading of Bill C-377. However, the adjournment of the debate will remain in his name.

[*Translation*]

Honourable senators, before we refer this bill to committee, I would like to remind everyone of the observations made by the Banking, Trade and Commerce Committee members who studied this bill very thoroughly in 2013. I would like to read you those observations:

While the Committee is reporting Bill C-377 without amendment, it wishes to observe that after three weeks of study — hearing from forty-four witnesses and receiving numerous submissions from governments, labour unions, academics, professional associations and others — the vast majority of testimony and submissions raised serious concerns about this legislation.

Principal among these concerns was the constitutional validity of the legislation both with respect to the division of powers and the Charter. Other issues raised include the protection of personal information, the cost and need for greater transparency, and the vagueness as to whom this legislation would apply.

The Committee shares these concerns.

The Committee did not offer any amendments because these substantial issues are best debated by the Senate as a whole.

That concludes the observations to the thirteenth report of the banking committee.

Honourable senators, I attended most of those meetings. I was not a full member of the committee, but I found all the testimony interesting.

At the time, I had not been a senator for very long, as I had been appointed only a few months before that. I could not understand how a bill of that import could be introduced by an MP. I thought it was inadmissible and inconceivable, considering all the financial repercussions it would have both for the government and for other organizations. Until recently, I did not understand how such a bill could be admissible.

My legislative counsel and I got to work with my legal assistant and began looking at what makes a private member's bill admissible.

It seems that there are no specific criteria for what makes such a bill admissible when it does not involve the expenditure of public funds. However, and I will quote the document I found on the House of Commons website:

... since 1994, a private Member may introduce a public bill containing provisions requiring the expenditure of public funds and it may proceed through the legislative process provided that a royal recommendation is obtained by a Minister before the bill is read a third time and passed.

We did a little research on the Royal Recommendation. You may know what that is, but I did not; a Royal Recommendation — it is in the Constitution — is required for every bill that has a financial impact and must therefore have a certain recognition, the Royal Recommendation. I will read from the Constitution Act:

54. It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Obviously, that was long ago. Procedures have changed and we know that since 1994, this process — which applies to everyone, including members who propose a bill with associated costs — must have a Royal Recommendation. I will read you the excerpt to be more precise:

... private Members' bills involving the spending of public money have been allowed to proceed through the legislative process, on the assumption that a royal recommendation will be submitted by a Minister of the Crown before the bill is to be read a third time and passed. If a royal recommendation is not produced by the time the House is ready to decide on the motion for third reading of the bill, the Speaker must stop the proceedings and rule the bill out of order.

• (1520)

I then went to see if Bill C-377 had indeed received a Royal Recommendation, and on December 6, 2012, we had received notice from the Speaker of the House stating that the bill did not need a Royal Recommendation because the Canada Revenue Agency budget could provide the sums required to administer the bill. In any event, if ever there were major expenditures involved, the government would introduce a mechanism accordingly.

The process was followed, but I wanted to share this information with you because I was not aware of it. When I read about it, I thought to myself that the issue of the costs associated with a bill are rather important.

I want to bring you back to the thirteenth report of the Banking, Trade and Commerce Committee, which we debated in the chamber in 2013. We didn't defeat this bill, despite all its flaws. We chose to amend it. Because the session was prorogued, the bill died on the Order Paper and it is before us now in its original form.

Today, I would like to ask the committee that will study the bill not to ignore the observations made by the Banking, Trade and Commerce Committee, the testimony that was heard — because it represents many hours of work — or the fact that the bill was amended and has come back to us for the reasons mentioned.

At that time, I voted against the bill for reasons that many people share, reasons that I shared with the experts, because this is an unconstitutional bill to begin with and it does not comply with the Canadian Charter of Rights and Freedoms.

I am not against transparency for organizations that are financed through tax-deductible individual contributions, such as unions. However, in my opinion, the transparency requirement must nevertheless be reasonable and legal, and the transparency requirement must also apply to all organizations that are financed in that way. There are many such organizations. Consider, for instance, professional associations. This would also apply to political parties that are financed through tax-deductible donations. I am not sure that the federal and provincial political parties would be comfortable with such a transparency requirement.

Colleagues, the Senate's powers are significant, but as I've already said in a previous speech, the Senate therefore also has significant responsibilities. The Senate can amend or even reject a bill. It has never abused these powers. As I said in my speech on September 30, 74 bills were rejected in the 20th century, most of them in the first half of the 20th century. Since 2000, only two bills have been rejected.

Honourable senators, I urge the members of the committee tasked with examining this bill to administer a number of tests. I presented this idea in my previous speech, again on September 30, concerning Senate reform, and I think now is the time to try out this approach. I'd like to repeat the questions the committee might want to answer when it studies the report in a plenary session.

First question: based on the evidence heard, can we definitely say that Bill C-377 passes the constitutional test? Is it in line with the constitutional division of powers between the provinces and the federal government? Does it comply with the Charter of Rights and Freedoms? Does it violate international treaties and conventions, specifically under the International Labour Organization? Does it run counter to the interests of any province or territory? Does it infringe on the rights of a minority group? Does it unduly harm a given economic group, such as the business community or unions? Bill C-377 clearly favours unions. Was the process in the lower House democratic and did it allow for proper consultations?

[Senator Bellemare]

In light of these questions, honourable senators, I'd like us to be able to clearly debate this bill, because as you know, it's our duty as senators to properly study the bills that come to us from the House of Commons, and especially private members' bills that have not been subject to an extensive departmental review.

Hon. Senators: Hear, hear!

[*English*]

Hon. Anne C. Cools: I thank the good senator for her remarks. I understood her to be saying, suggesting or asserting — I do not know which — that Bill C-377 requires or might require a Royal Recommendation. I understood her to say that.

[*Translation*]

Senator Bellemare: That's not quite what I said. It's part of my analysis of the history of this bill. Royal Recommendation must be presented before third reading in the case of a private member's bill, because the government usually presents it at the same time. It's not exactly the same procedure.

In this case, the sponsor of Bill C-377 always said that there was little or no financial impact. When I looked at the debates in the House of Commons, members rose to say that there were costs and that this bill required a Royal Recommendation. This was considered by the Speaker, because it is now up to him to ensure that this constitutional responsibility is fulfilled, according to the 1994 amendment.

In his ruling, which I will quote because I have it here with me, the Speaker of the House said:

Accordingly, the Chair rules that Bill C-377 in its current form does not require a royal recommendation to proceed through the next stages of the legislative process.

He explained that if, by chance — because this has happened in the past — a bill that should have received a Royal Recommendation did not receive one, the government would intervene and pass through an appropriation bill for the money spent.

Bill C-377 has not yet received a Royal Recommendation. Many believe that there are significant costs attached to this bill. If they are right, because the Canada Revenue Agency explained that to us and the bill has not yet received a Royal Recommendation, I do not know where we stand. It will be up to us to debate it in committee, I suppose.

[*English*]

Senator Cools: I'm having some difficulty understanding exactly what the good senator is proposing or asserting. The fact that a bill has costs attached to it in no way qualifies it for a Royal Recommendation.

Honourable senators, Royal Recommendations follow appropriations of the public revenue, taxes and imposts. With the Royal Recommendation in section 54 of the British North America Act, and its twin, section 53, the intention was to make sure that major initiatives appropriating tax dollars and raising taxes had a Royal Recommendation, which is the same as Royal Assent except it is something that is given in advance of the bill. The rule is that the bill should not even be debated unless it got such a recommendation.

Based on my knowledge of this bill and my understanding of the subject matter — and this is one that, as most senators know, I've studied quite a bit in the last number of years — there is nothing in this bill that is bringing about a tax, an impost or an appropriation.

• (1530)

One has to be clear because the days now pass when these bills will be very specific about the appropriating clauses. You would have to defend your point. You would have to very carefully and very clearly identify the clauses in that bill that are doing those things in section 54. Unless the bill has changed since it was here some months back, there is nothing in that bill that does this.

[Translation]

The Hon. the Speaker *pro tempore*: Senator Bellemare, are you seeking another five minutes so that other senators who want to ask questions can do so?

Senator Bellemare: Yes.

The Hon. the Speaker *pro tempore*: Is a five-minute extension granted?

Hon. Senators: Agreed.

Senator Bellemare: I am not necessarily suggesting that we continue down that path because this is not really my area of expertise. I was simply curious to know how it works. In the explanation given, a bill that has monetary implications generally requires — and this is not a tax matter — a Royal Recommendation, if it is not something that can be dealt with under the general administration of the department in question.

In this case, some people — those who are proposing the bill and those who are defending it — have said that the bill will be dealt with as part of the department's corporate affairs. That is why the bill does not require a Royal Recommendation.

I wanted to share this thought with my colleagues because I have often asked how it is that this type of bill can be introduced. I found that there was an explanation for it.

To come back to your question, what I am proposing is not that we try to look into a Royal Recommendation, but that the committee responsible for examining this bill analyze it by

answering a series of questions. As I have already said in a previous speech, as a chamber that conducts in-depth analyses of bills, our reports should inform the Senate as a whole by providing clear answers to a certain number of questions. That is what I am proposing. Thank you.

[English]

Senator Cools: After Senator Cowan speaks, perhaps the issue will become more clear. I think the debate has fallen back to him.

The Hon. the Speaker *pro tempore*: Senator Ringuette is asking —

Senator Cools: Senator Ringuette wants to speak now. That is fine. It is an important point. After Senator Cowan speaks, I would be happy to take the adjournment and look at it myself.

[Translation]

Hon. Pierrette Ringuette: Honourable senators, I would first like to commend Senator Bellemare for her remarks.

[English]

I rise on a point of order. Honourable colleagues, I would like to make a clarification to my remarks on Bill C-377 from last Tuesday.

I was disturbed by —

[Translation]

The Hon. the Speaker *pro tempore*: I must interrupt you, Senator Ringuette. Are you rising on a point of order or do you wish to clarify your remarks?

Senator Ringuette: I would like to make a clarification.

The Hon. the Speaker *pro tempore*: In that case, I think the chamber agrees to hear your clarification. We're listening.

Senator Ringuette: Thank you, honourable senators. This is not a point of order, but indeed a clarification.

[English]

I was disturbed by the unjust invasion of privacy for those associations with unions in this bill. I said the name, payment amount and address would be required to be posted publicly. Fortunately, the requirement to disclose specific addresses, while in the original bill, has been removed.

What is required is the name, payment amount and description of the purpose. The point I was making is that the name and payment amount still puts people at risk. One can easily find an

address with a simple Internet search, and most unions, being local in nature, means that the connections are extremely easy to be made.

(On motion of Senator Cowan, debate adjourned)

THE SENATE

MOTION TO URGE THE GOVERNMENT TO ESTABLISH A NATIONAL COMMISSION FOR THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF CONFEDERATION—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Robichaud, P.C.:

That the Senate urges the Government to take the necessary measures to establish a *National Commission for the 150th Anniversary of Confederation* charged with the responsibility of preparing and implementing celebrations, projects and initiatives across the country to mark the 150th anniversary of Confederation during the year 2017. Further, the Senate urges that the membership of this commission include representatives from all the provinces and territories and that, in addition to any budget voted by Parliament, the commission be able to receive contributions from Canadians.

Hon. Michael L. MacDonald: Honourable senators, I move adjournment of the debate in my name.

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

Hon. Senators: Agreed.

(On motion of Senator MacDonald, debate adjourned.)

PROMOTING AND DEFENDING CAUSES THAT CONCERN THE PUBLIC INTEREST—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Nolin, calling the attention of the Senate to the activities of some Senators in promoting and defending causes that concern public interest.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, this item stands at day 15. I have only begun my research, but I am going to say a couple of things before I try to adjourn debate because I think that this particular issue, the role of senators in promoting and defending causes that

concern public interest, is one of the more interesting areas where the work of individual senators goes almost completely unsung and yet has enormous impact in many cases.

In thinking about what I might say, I was starting to pull together a little list of what people do around here, and I came up, in almost no time flat, with a list of our present and recent colleagues and the work they do.

My colleague, Senator Munson, on autism and the Special Olympics; Senator Kochhar on the rights of the disabled; Senator Boisvenu, support for the victims of crime; Senator Campbell, and Senator Nolin himself, on harm reduction and drug policy; Senators Chaput, Tardif, Joyal and others on minority language rights.

Not just here in the Senate, but outside, these people do fantastic work. Senator Downe on overseas tax havens; Senator Eggleton on poverty and social justice. It is a vast field, and he does vast work in that field. Senator Kenny on national security. All of our Aboriginal senators on the well-being and the rights of Aboriginal people.

• (1540)

Senator Mercer focuses on volunteerism; Senator LeBreton, her work with Mothers Against Drunk Driving, surely one of the most moving examples we have of how an individual senator can have a very great impact. Senator Raine works on fitness; Senator Johnson on the arts. I never knew there was an Icelandic film festival until I found out that Senator Johnson did that. Former Senator Brown on Senate reform; Senator Fairbairn and now Senator Demers on literacy; Senator Carstairs, who is still working on the issue of palliative and end-of-life care; Senator Kirby on mental health; Senator Runciman on his work on mental health care for inmates; Senator Dallaire, who has actually left us to pursue his work on child soldiers and care for veterans.

Further back, Senator Sparrow on farming and soil erosion; Senator Chalifoux's whole life was dedicated to work on behalf of Metis and Aboriginal children; Senator Erminie Cohen on children; Senator Carney on lighthouses.

We've always done that. If you go back in history you'll find such wonderful, illustrious examples of individual senators who made a difference, not just in the Senate but in Canada. Senator Muriel McQueen Fergusson fought for the rights of women, the elderly and the poor. So did Senator Thérèse Casgrain.

I was thinking, when Senator Cordy was talking about the long list of women who could qualify for a national day, of Thérèse Casgrain, who almost single-handedly won the vote for women in my province of Quebec and went on fighting for decades for the rights of women and for others. She would be worthy of a national day. She kept on fighting when she was here.

Senator David Croll's work on poverty. It goes on and on, colleagues.

[Senator Ringuette]

What I'm discovering is two things. I have an embarrassment of riches here, and I'm having trouble trying to find the common thread beyond the fact that these are all senators who have used the wonderful privileges that this place brings us all to go on working as individuals for the good of the country.

I suspect there's more to say than that, but I have not put together a coherent narrative yet on it, so I adjourn for the balance of my time.

(On motion of Senator Fraser, debate adjourned.)

REMEMBRANCE DAY

INQUIRY—DEBATE ADJOURNED

Hon. Anne C. Cools rose pursuant to notice of October 28, 2014:

That she will call the attention of the Senate to November 11, known to all as Remembrance Day, of this, the centennial year of the July 28 start of hostilities in the 1914-1918 Great War, which day is given to the national and collective mourning of Canadians, on which we remember and honour the many who served and who fell in the service of God, King and Country, and, whose incalculable sacrifice of their lives, we honour in our simultaneous yet individual, personal acts of prayer and remembrance, wherein we pause and bow our heads together in sacred unity, at the eleventh hour, of the eleventh day, of the eleventh month, for the many who gave themselves, and:

To those who served in World War I, with its stupendous sacrifices, its massive mobilisation and fielding of millions of men, on all sides, and to its enormous casualties and losses of life, and, to our young country's noble contribution to this far away overseas War, of 620,000 men, being ten percent of Canada's then population, and, to our 60,661 fallen, being ten percent of those serving, and, to Canada's Prime Minister, the Conservative, Robert Borden's success in earning Canada's representation at the 1919 Allies' *Paris Peace Conference*, and, to his and his Ministers' presence there, and, to the respect he earned for Canadian contribution to the war, and for Canada's control of its foreign affairs, wars and peace, and, to the changing relations between the Allied leaders, and, to their changing politics at home, and, to Canadians at home and abroad, particularly the Canadian-born British Prime Minister, Andrew Bonar Law and the Canadian Max Aitken, known as Lord Beaverbrook, both of whom were active in British politics in these events, and who endeavoured, in 1922, to avoid a new war at Chanak, in the Turkish Dardanelles.

She said: Honourable senators, today I uphold Remembrance Day and those who served and fell in the 1914-1918 Great War, now one hundred years since it began. On this day, we reflect on this war between the Allied Triple Entente and the Central Powers' Triple Alliance. The Allies were the British Empire,

France, Greece, Italy and Russia until its 1917 revolution, and the United States, which only joined in 1917. The enemy Central Powers were Germany, the Austro-Hungarian Empire, the Ottoman Empire and Bulgaria. At its start, soldiers were on horseback with swords in hand. By its end, humanity knew modernity's terrible truth, that war was a highly scientific and technological fact. This war was known for its mobilization of millions of men by all sides and its huge armies. British forces numbered 8,905,000 mortals and the French 8,410,000. Many millions of soldiers were fielded and fought on many battlefields in many countries. Canada sent 620,000 men, or about 10 per cent of its then population. Of those, 10 per cent were fallen.

Honourable senators, the Great War was a war of empires, the British, Ottoman and Austro-Hungarian. It ended "empire" as a constitutional unit and birthed the term "self-determination of nations," from President Woodrow Wilson's January 8, 1918, *Fourteen Points*, that meant the end of conquest and annexation of subject peoples and their lands. The Allied victors claimed that the vanquished nations would not be treated as conquered subject peoples, and created a new entity called "mandate." A mandate was "an authorization granted by the League of Nations to a member nation to govern a former German or Turkish colony. . . ." The victor Allies gave themselves the mandates for the conquered peoples and lands. The league of nations concept was Wilson's. Only in 1918 summer did the enemy forces falter, and the Allies gained the upper hand. This war was known for its colossal human loss. Canadian Margaret MacMillan's 2003 book, *Paris 1919*, records, at page xxvi, that:

The loss was human. Millions of combatants — for the time of massive killing of civilians had not yet come — died in those four years: 1,800,000 Germans, 1,700,000 Russians, 1,384,000 French, 1,290,000 from Austria-Hungary, 743,000 British (and another 192,000 from the empire) and so on . . .

Canada lost 60,661 men. We will remember them.

Honourable senators, Canada and others have begun to celebrate the centennials of the famous battles where their sons fought in the Western Front's theatres of war. Canadians fought in Belgium's Flanders, where our John McCrae wrote his poem *In Flanders Fields*, and also at France's Vimy Ridge, where Canadians fought well. Next year is the centennial of the Turkish Dardanelles Battle of Gallipoli. There, casualties and losses on both sides were stupendous. The fallen was a multitude of Ottomans, Brits, Australians, New Zealanders and Newfoundlanders, not then a part of Canada. The Allies and the Ottomans, together, had over 500,000 casualties and over 110,000 fallen. Every April 25, the anniversary of Australia and New Zealand's first major military action in Gallipoli, Turks, Australians and New Zealanders gather there to honour their fallen. Next year, Newfoundlanders, for the first time will join them to honour the great sacrifices at Gallipoli's long battle, now seen "as an epic tragedy with an incredible heroic resilience displayed by the soldiers . . ." This shared remembrance is a sacred act, a redemptive healing, conducive to human understanding and peace. At Gallipoli, a great Turkish officer, Mustafa Kemal, commanded a new Ottoman division and distinguished himself. He had advised the Ottomans not to join

the Central Powers in the war. He was a battlefield genius, the commander with the eye for the key tactical position, who would seize the high ground.

Honourable senators, though Ottoman forces won at Gallipoli, Mustafa Kemal's respect for the soldiers that he fought there is legend, as is he. His 1934 tribute to the Australian and New Zealand Army Corps, they call them ANZACs, who fell there is cast in stone. He said:

Those heroes who shed their blood and lost their lives, you are now lying in the soil of a friendly country. Therefore rest in peace. There is no difference between the Johnnies and Mehmeds to us, where they lie side by side in this country of ours. You, the mothers who sent their sons from far away countries wipe away your tears, your sons are now lying in our bosoms and are in peace. After having lost their lives on this land they become our sons as well.

• (1550)

Kemal's sensitive words, penned to the mother of a fallen New Zealander, reveal the measure of this man and soldier. They are inscribed in the Atatürk Memorial in Gallipoli's Anzac Cove, and also in the Kemal Atatürk Memorial in Canberra, Australia, and in the Atatürk Memorial at Tarakena Bay in Wellington, New Zealand.

Honourable senators, under the leadership of Mustafa Kemal and his Turkish national forces, the new Republic of Turkey was born on October 29, five years after the war's defeat of the Ottoman Empire. Kemal was elected as its first president, with its capital in Ankara. He was honoured with the title "Atatürk," the Father of the Turks. This new country resulted from the Turkish people's national resistance to the inoperative, stillborn Treaty of Sévres, the Allies' Paris Peace Conference's injudicious treaty with the Ottoman Sultan. Its inexorable failure, and Turkish national resistance to it, had large political consequences in Britain, and led to a new government under Canadian born Prime Minister, Andrew Bonar Law. His new Treaty of Lausanne was negotiated by Lord Curzon and Kemal's General Ismet İnönü.

Honourable senators, the Allied 1919 Paris Peace Conference's Big Three were Britain's Prime Minister David Lloyd George, France's Prime Minister George Clemenceau, and America's President Woodrow Wilson. They set out to redraw the world's borders, and divide the lands of the vanquished empires among themselves. There began much future conflict. Fixed on their more important Treaty of Versailles with the Germans, they delayed the treaty with the Ottomans, whose empire spanned the Middle East, Caucasus, Persia, North Africa, and Europe right to the gates of Vienna. The Big Three detached and partitioned the Empire's provinces, such as Syria, Palestine, Jordan and Iraq. They made themselves the mandatory powers for these lands as they chose. Not content, and led by Britain's Prime Minister Lloyd George, they set out to detach and partition the Empire's Turkish peoples' region, with its capital, ancient Constantinople. Their region, divided by the Bosphorus Strait, straddled Asia and Europe, with Anatolia in Asia, and Eastern Thrace in Europe. Constantinople had been the Byzantine Empire capital, and prior the Eastern Roman Empire

capital, in 330 A.D., renamed Constantinople after Emperor Constantine. This Turkish city, now Istanbul, was for over fifteen hundred years the capital of three great empires.

Honourable senators, MacMillan is prescient on the Big Three. At page xxxi, she notes:

Armies, navies, railways, economies, ideologies, history: all these are important in understanding the Paris Peace Conference. But so, too, are individuals because, in the end, people draw up reports, make decisions and order armies to move. The peacemakers brought their own national interests with them, but they also brought their likes and dislikes. Nowhere were these more important than among the powerful men - especially Clemenceau, Lloyd George and Wilson - . . .

MacMillan presents the *dramatis personae*, on the stage of the grand production, the Peace Conference. She knows human nature and its potential for folly, as did Benjamin Franklin at the American Federal Convention on September 17, 1787, who said:

For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views.

Honourable senators, with no precedents, save the 1815 Congress of Vienna, the powerful Big Three redrew the world map and wrote their peace terms for the conquered. They were tyrannized by their own prejudices. Each held his country's imperial, expansionist hopes close. Lloyd George harboured deep prejudices against, in his words, "the Turk," whom, in Gladstone's words, he wanted "one and all, bag and baggage" out of Europe. Greece, like Italy, craved a share of the Turkish peoples' lands, such as Smyrna. Lloyd George hated the Turks. He liked the Greeks and their Prime Minister Venizelos, who coveted Smyrna and Constantinople. MacMillan tells, at page 431:

Lloyd George had already agreed that a Greek cruiser should go to Smyrna, and Venizelos saw an opening to send Greek forces into Asia Minor as a counterbalance to the Italians. He and Venizelos had a private dinner in early May. Frances Stevenson, who was present, noted in her diary: "The two have a great admiration for each other, & [Lloyd George] is trying to get Smyrna for the Greeks, though he is having trouble with the Italians over it." What Venizelos remembered from the evening was that Lloyd George was hopeful he could get Constantinople as well for the Greeks. On the morning of May 6, the Allies casually took the decision that set in train the events that destroyed, among many other things, Smyrna itself, Venizelos's great dream and Lloyd George's governing coalition.

Honourable senators, Lloyd George had the habit of acting as his own foreign minister. He ignored his foreign ministers, to their chagrin, especially Lord Curzon, foreign minister since

October 1919, whom he disliked. Known for his diplomacy skills, Lord Curzon, unlike Lloyd George, well knew Near East affairs. He, Lord Curzon, opposed Lloyd George's plans to partition the Ottoman Empire's Turkish region, which he thought should be a new Turkish country. On August 10, 1920, the Allies' doomed Sèvres Treaty was signed by the representatives of the Ottoman Sultan, who by then had lost all moral and political authority to govern. It was wholly repudiated and defeated by the victorious Turkish people's national resistance to the Allied partition of their lands, led by Mustafa Kemal, and the Turkish National Assembly, the de facto government of the new Turkey, with their National Pact, which held that their land shall remain whole.

Honourable senators, certain Allied political events helped this resistance. There was the election defeat of Greek Prime Minister Venizelos, and also Italian Prime Minister Orlando's defeat. Here in Canada there was Prime Minister Mackenzie King's stand in the 1922 British Chanak Affair, which led to Prime Minister Lloyd George's resignation. Chanak, now Çanakkale, was a Dardanelles seaport where war was imminent between the British and Kemal's Turkish peoples' national resistance. Chanak was large in Canada's constitutional development and control of its external affairs. Mackenzie King's success was great, as had been Robert Borden's earlier success in Canada's and the Dominions' representation at the Paris Peace Conference. On Lloyd George's forced resignation, the new British Prime Minister, the Canadian, a Conservative, Andrew Bonar Law, sent his Foreign Secretary, Lord Curzon, to broker the Peace Treaty with Kemal's new Turkish Government. The July 24, 1923 Treaty of Lausanne is the sole peace treaty signed at the Great War's end which is still in force.

Honourable senators, Lloyd George headed the British Empire delegation of four hundred persons at the Allies' Paris Peace Conference. Canada, the Dominions and India were there. Our Prime Minister Robert Borden and the Dominions had pressed Lloyd George for their sovereign right to representation there. MacMillan tells, at page 45:

Lloyd George . . . would tell his allies that the dominions and India required separate representation at the Peace Conference. It was one of the first issues he raised when he arrived in Paris (on January 12, 1919). The Americans and the French were cool, seeing only British puppets — and extra British votes.

The Hon. the Speaker *pro tempore*: Senator Cools, your 15 minutes have expired. Are you requesting an additional five minutes?

Senator Cools: Please.

Hon. Senators: Agreed.

Senator Cools: Thank you, honourable senators.

The Dominions' Prime Ministers' fight for representation in Paris edged them closer to control of their foreign affairs.

Honourable senators, Canada did well there. About Robert Borden, MacMillan notes, at page 45:

. . . if Canada did not have full representation at the conference there was nothing for it but for him "to pack his trunks, return to Canada, summon Parliament, and put the whole thing before them."

• (1600)

Prime Minister Borden won Canada's representation in Paris. MacMillan notes, at page 47:

The Canadians, well aware that they were from the senior dominion, were led by Borden, upright and handsome. They took a high moral tone not for the first time in international relations, . . .

Dominion participation at this peace conference was crucial to Canada's claim for control of its foreign affairs and Canada was also key at the later British Empire's imperial conferences. In 1931, the Statute of Westminster gave the Dominions full control of external affairs. Too soon, with its own King of Canada, and Great Seal, Canada declared individual war on the Third Reich.

Honourable senators, in Paris, Canada was also represented by Ministers George Foster, Charles Joseph Doherty and Arthur Sifton, and *Manitoba Free Press* editor John Wesley Daffoe.

Honourable senators, MacMillan's Introduction, at page xxvi tells:

For four years the most advanced nations in the world had poured out their men, their wealth, the fruits of their industry, science and technology, on a war that may have started by accident but was impossible to stop because the two sides were too evenly balanced.

The greatest act of peace is simply to make no war. Canada refused to make war at Chanak against the Turkish people. Prime Minister Mackenzie King's brave leap for control of Canada's foreign affairs, wars and peace was a moral and constitutional high watermark and a gift of peace for Turkey.

Honourable senators, Lord Beaverbrook described Prime Minister Lloyd George as a leader without a party. Displacing the Liberal Leader, Herbert Asquith, by 1916 he was Prime Minister in the Liberal Conservative Coalition Government, whose lead ministers were Conservative. He was helped, by the dutiful Canadian, Andrew Bonar Law's refusal of that office, by which he became Britain's last Liberal Prime Minister. In 1922, peace lay wholly in Lloyd George's resignation, forced by the Conservative Caucus vote to withdraw their support for his coalition. War is the failure of politics. Peace

is its success. Politics here was successful and peaceful. The faithful Canadian, Prime Minister Bonar Law's short regime, of a few months, made a long and lasting peace with Mustafa Kemal's new Turkey in the Treaty of Lausanne.

Honourable senators, I close with Robert Laurence Binyon's poem, "For the Fallen," from the *London Times*, September 21, 1914. I read partly:

They went with songs to the battle, they were young,
Straight of limb, true of eye, steady and aglow.
They were staunch to the end against odds uncounted;
They fell with their faces to the foe.

They shall grow not old, as we that are left grow old.
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them. . . .

War, the fourth horseman of the Apocalypse, is a grim reaper of life. We will remember them.

Thank you, colleagues.

(On motion of Senator Marshall, debate adjourned.)

(The Senate adjourned until Tuesday, November 4, 2014, at 2 p.m.)

CONTENTS

Thursday, October 30, 2014

	PAGE		PAGE
SENATORS' STATEMENTS			
2014 Ontario Municipal Elections			
Hon. Tobias C. Enverga, Jr.	2340		
Nunavut Mining			
Hon. Dennis Glen Patterson	2340		
<hr/>			
ROUTINE PROCEEDINGS			
Privacy Commissioner			
Privacy Act—2013-14 Annual Report Tabled	2341		
Receiver General of Canada			
Public Accounts of Canada—2014 Report Tabled. Hon. Yonah Martin	2341		
Criminal Code (Bill C-36)			
Bill to Amend—Fifteenth Report of Legal and Constitutional Affairs Committee Presented. Hon. Bob Runciman	2341		
Unauthorized Disclosure of Committee Report			
Sixteenth Report of Legal and Constitutional Affairs Committee Tabled. Hon. Bob Runciman	2341		
Indian Act (Bill C-428)			
Bill to Amend—Seventh Report of Aboriginal Peoples Committee Presented. Hon. Dennis Glen Patterson	2341		
Prohibiting Cluster Munitions Bill (Bill C-6)			
Seventh Report of Foreign Affairs and International Trade Committee Presented. Hon. A. Raynell Andreychuk	2341		
Canada—Korea Economic Growth and Prosperity Bill (Bill C-41)			
First Reading	2342		
National Seal and Seafood Products Day Bill (Bill S-224)			
First Reading. Hon. Céline Hervieux-Payette	2342		
Supporting Non-Partisan Offices of Agents of Parliament Bill (Bill C-520)			
First Reading.	2342		
L'Assemblée parlementaire de la Francophonie			
Meeting of the Cooperation and Development Committee, April 14-16, 2014—Report Tabled. Hon. Paul E. McIntyre	2342		
Meeting of the Political Committee, April 15-16, 2014—Report Tabled. Hon. Paul E. McIntyre	2342		
Meeting of the Parliamentary Affairs Committee, April 27-29, 2014—Report Tabled. Hon. Paul E. McIntyre	2342		
<hr/>			
QUESTION PERIOD			
Environment			
Renewable Energy—Carbon Pricing. Hon. Grant Mitchell.	2343		
Hon. Claude Carignan	2343		
Finance			
Economic Growth. Hon. Céline Hervieux-Payette	2343		
Hon. Claude Carignan	2344		
Social Affairs, Science and Technology Committee			
Prescription Pharmaceuticals—Unintended Consequences. Hon. George Baker	2344		
Hon. Kelvin Kenneth Ogilvie	2345		
National Finance Committee			
Public Accounts. Hon. George Baker	2346		
Hon. Joseph A. Day.	2346		
<hr/>			
ORDERS OF THE DAY			
Adjournment			
Motion Adopted. Hon. Yonah Martin	2347		
Economic Action Plan 2014 Bill, No. 2 (Bill C-43)			
Certain Committees Authorized to Study Subject Matter. Hon. Yonah Martin	2347		
Motion in Modification Adopted. Hon. Yonah Martin	2347		
Hon. Joan Fraser	2347		
Hon. Jane Cordy	2348		
Motion in Amendment. Hon. Joan Fraser	2349		
Hon. Larry W. Smith	2350		
Hon. Fernand Robichaud	2351		
Pope John Paul II Day Bill (Bill C-266)			
Third Reading—Debate Continued. Hon. Jane Cordy	2351		
Hon. Kelvin Kenneth Ogilvie	2353		
Hon. David P. Smith	2354		
Hon. Suzanne Fortin-Duplessis	2354		
Hon. Pana Merchant	2354		
Canada Border Services Agency Act (Bill S-222)			
Bill to Amend—Second Reading—Debate Continued. Hon. Yonah Martin	2354		
Income Tax Act (Bill C-377)			
Bill to Amend—Second Reading—Debate Continued. Hon. Diane Bellemare.	2355		
Hon. Anne C. Cools.	2356		
Hon. Pierrette Ringuette.	2357		
The Senate			
Motion to Urge the Government to Establish a National Commission for the One Hundred and Fiftieth Anniversary of Confederation—Debate Continued. Hon. Michael L. MacDonald	2358		
Promoting and Defending Causes that Concern the Public Interest—Inquiry—Debate Continued. Hon. Joan Fraser	2358		
Remembrance Day			
Inquiry—Debate Adjourned. Hon. Anne C. Cools.	2359		



Published by the Senate

Available on the Internet: <http://www.parl.gc.ca>