



CANADA

House of Commons Debates

VOLUME 134 • NUMBER 155 • 2nd SESSION • 35th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Monday, April 14, 1997

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, April 14, 1997

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

[*English*]

AN ACT AMEND AN ACT TO INCORPORATE THE BISHOP OF THE ARCTIC OF THE CHURCH OF ENGLAND IN CANADA

Mr. Jim Peterson (Willowdale, Lib.) moved that Bill S-15, an act to amend an Act to Incorporate the Bishop of the Arctic of the Church of England in Canada, be read the second time and referred to a committee.

He said: Mr. Speaker, I am very pleased to rise today to bring about some amendments to the act incorporating the bishop of the Arctic for the Anglican church.

By way of background, the Anglican church in Canada was officially founded in 1893, although many of its dioceses had existed prior to Confederation.

Today there are 30 dioceses of the Anglican church in Canada, each one incorporated. The act we are dealing with deals with the diocese of the Arctic, which was incorporated by a federal act of Parliament in 1934.

The diocese of the Arctic covers the Northwest Territories and the northern third of Quebec. It has 51 active parishes, 20 of which have resident Anglican ministers.

Also by way of background, the primate of the Anglican church in Canada is the Most Reverend Michael G. Teers. He is responsible for five Canadian ecclesiastical provinces as they are called under the Anglican church. The archbishop for the ecclesiastical province of Rupert's Land is the Most Reverend Barry Curtis. He is situated in Calgary and the bishop of the diocese of the Arctic, Bishop Christopher Williams, reports to him.

The Anglican church has changed over the years. It now has 15 ordained Inuit clergy. Last year it elected its first Inuit bishop, Paul Idlout, a former member of the RCMP.

• (1110)

The Anglican Church has a history of long and distinguished service to the people of Canada's north. The first missionary who came from England, Reverend E.J. Peck, gave the Inuit of the eastern Arctic their syllabic writing system which is in use today. The church continues to minister to the spiritual and other needs of the people of the north and has undertaken tremendous work in translating hymns, prayers and scriptures into many of the local languages.

I am very pleased today that we have the opportunity to salute the work of the Anglican church in Canada's north and to bring its active incorporation into line with modern needs.

Under the present act of 1934 the investment powers of the Anglican church in the north are very limited. It can invest only in the bonds of the Canadian or provincial governments or the Government of Great Britain and some mortgages on land. It is facing severe financial trials in these difficult times because of its immense responsibilities in that area. We as members of Parliament can help it to have greater investment powers and hopefully a greater income from its invested moneys in order to carry out its worthwhile work.

[*Translation*]

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, I am speaking this morning on behalf of the official opposition, the Bloc Québécois, on Bill S-15, an act to amend an Act to incorporate the Bishop of the Arctic of the Church of England in Canada.

This private member's bill, passed by the Senate on March 18, 1997 and sponsored by Senator Meighen, broadens the investment powers of the Bishop of the Arctic.

As you know, I am a hardline abolitionist as far as the Senate is concerned. It is, in my opinion, an archaic institution which perpetuates colonialism in this country and interferes with the sovereignty of the House of Commons. I find it useless, therefore, to retain this institution on the eve of the third millennium.

When the public interest of Quebecers and all Canadians is at stake, however, I am capable of being open-minded. I am aware of the problems involved in designating the Bishop of the Arctic in

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French as a “corporation” rather than a “personne morale”. For this reason, the official opposition, the Bloc Québécois, will vote in favour of Bill S-15.

[English]

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, it is a pleasure for me to join my colleagues from Willowdale and Frontenac in the debate on Senate Bill S-15.

Bill S-15 amends an Act to Incorporate the Bishop of the Arctic of the Church of England in Canada, an act passed by Parliament in 1934.

The main purpose of the amendment is to allow the Anglican diocese of the Arctic more flexibility in how it administers the endowment fund of the bishop of the Arctic.

Since 1934 and up to the present this fund is limited to investments in securities of the governments of the Dominion of Canada and the United Kingdom and first mortgages in Canada.

Churches across Canada, as has already been indicated by my hon. colleague from Willowdale, find themselves in increasing financial constraints, and the Anglican diocese of the Arctic is no exception.

I believe this amendment will provide it additional versatility in investment alternatives for its endowment fund. Being able to secure the best return possible on its investments will obviously increase the funds available for the diocese to carry on its good work in the Arctic and in northern Quebec. The other two amendments are merely housekeeping items, necessary changes to the French text of the act to name the corporation, and the term corporation itself in French terms, which will bring the act into line with current French terminology.

• (1115)

On behalf of the Reform Party it gives me great pleasure to indicate our support for Bill S-15 and I call on the House for its speedy passage.

The Acting Speaker (Mr. Milliken): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Milliken): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Mr. Peterson: Mr. Speaker, I believe you will find unanimous consent that the House do now proceed to dispose of the bill at all stages, including committee of the whole.

The Acting Speaker (Mr. Milliken): Is there unanimous consent that the bill now be dealt with in committee of the whole?

Some hon. members: Agreed.

(Motion agreed to, bill read the second time, by unanimous consent considered in committee and concurred in.)

The Acting Speaker (Mr. Milliken): When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Mr. Peterson moved that the bill be read the third time and passed.

He said: Mr. Speaker, I wish to thank my seconder, the member for Kitchener, the member for Frontenac, the member for Prince George—Peace River and all members of the House for their co-operation in ensuring the speedy and necessary passage of Bill S-15.

I also wish to commend the hon. Senator Michael Meighen for the work he did in the other House on this bill.

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

SUSPENSION OF SITTING

The Acting Speaker (Mr. Milliken): Is it the pleasure of the House to suspend the sitting until noon?

Some hon. members: Agreed.

(The sitting of the House was suspended at 11.18 a.m.)

SITTING RESUMED

The House resumed at 12 p.m.

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[English]

BUDGET IMPLEMENTATION ACT, 1997

The House resumed from April 10 consideration of the motion.

Mr. Jesse Flis (Parkdale—High Park, Lib.): Mr. Speaker, I am pleased to participate in the debate of Bill C-93, the budget implementation act, 1997.

With all the election fever in the air, this may be the last opportunity in my political career to share with you and others some experiences I have had since the introduction of the last budget.

It is peculiar that this last budget statement invoked very little response from my constituents in Parkdale—High Park who are as conscientious as they are diverse. As usual I received many representations from constituents before this year's budget presentation, but since the minister's statement I have had few comments that came to my attention.

I recently had the opportunity to interview the hon. Minister of Finance on a local television station and I explained to him the

situation. In response the minister explained that the reason why Canadians have not reacted adversely to the last budget is because it was the result of a process that incorporated the wants and needs of Canadians. The budget is proof that the government has listened to Canadians and responded accordingly.

For this reason we can be proud of the popular participation of conscientious Canadians as it has reaped rewards like the child benefit act, expanded financial assistance for students in post-secondary studies, an extended interest in the Canada infrastructure program, and the list goes on.

During my interview with the minister I asked him the questions I thought my constituents would ask him if they had the opportunity. Of particular interest in my constituency is the Canadian infrastructure program. One of the larger projects that has been undertaken as a result of the federal funding is the Western Beaches tunnel. This \$57 million project will provide a conduit for the area's storm sewage so that it may be diverted to treatment plants, keeping Lake Ontario free of materials that prevent adults and children from enjoying the city beaches every time the temperature goes up above 25 degrees Celsius.

Thousands of constituents and visitors are making excellent use of the new Western Beaches boardwalk, built not with boards but with a recycled plastic substance, making the boardwalk almost indestructible. Furthermore, the infrastructure works program has provided improved lighting and new paved roadways for High Park, a major attraction for the city's walkers, picnickers and tourists.

Projects like these have had an impact on long term and short term employment as well as on relations between the federal, provincial and municipal governments in investing in our future. I emphasize the word "investment" as it is the predominant theme in the budget.

• (1205)

An additional issue that has held the attention of many of my constituents is that of small business promotion. Parkdale—High Park is home to many small family run businesses. These businesses have multiplied over the years and have created communities that are renowned for their shopping and services.

Throughout my riding one can find business improvement areas and associations, known as BIAs, that have engaged the interests of local business people to pool their resources in order to improve the local environment and attract consumers. Members of these BIAs, including the Parkdale Village BIA, Junction Gardens BIA, Bloor West Village, Roncesville Village and Bloor by the Park BIA, depend on programs like the Small Business Loans Act and the quarterly remittance of withholding amounts in order to stimulate

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their operations and assist them in reaching their markets. The presidents of the BIAs that I contacted for input on the recent budget statement were all pleased with the actions the government had taken and encouraged the minister to stay the course.

Speaking of staying the course, I assume that one of the fundamental reasons for Canadian support of the last budget is because they are pleased that the minister has committed to deficit reducing measures, and has not been swayed by the recent success of overachieving deficit targets. I am sure that everyone here is aware that the government surpassed its goals and reduced the Canadian deficit to the lowest among G-7 nations. This level is the lowest Canadians have experienced in 15 years and it is a testament to the excellent job the government is doing in controlling its spending and taxation activities.

Canadians are proud to be in such economic good health but they are also wary that there is still a long way to go. For this reason the government has shown its prudence in not reversing the current trend. However, due to a combination of success and prudence, the government made no new program spending cuts in its last budget announcement. Instead it created new outlets for assistance to Canadian students, children below the poverty line and Canadians who are searching for jobs. These programs will cost the government less than \$1 billion to implement and the result will be a great profit for all Canadians in the form of a preserved social safety net and a growing commitment to investment in Canada's future.

The idea of investment takes on the guise of a theme throughout the budget. On this particular theme two initiatives spring to mind. The first is a child tax benefit for impoverished children and Canadian families, and the second is the government's commitment to post-secondary students, a demographic that is essential to the continued growth and prosperity of our nation.

The issue of the child tax benefit is of great interest to me because I spent many years with the Toronto Board of Education where I was challenged to stimulate the attention of young children who came to school with hunger pains and the troubles associated with living below the poverty line.

With the child tax benefit the government is increasing its current level of spending of \$5.1 billion to \$6 billion with the intention of increasing services and programs for poor working families such as child care, drug and dental benefits. This is a clear investment in the children who will one day grow up to be contributing members of society.

Finally, I would like to spend a moment on the issue of post-secondary education and initiatives by the government to ease this pressing concern of students and parents across the country. Students are currently facing tuition increases in most post-secondary institutions. The fear of increased debt loads by students who need to borrow money to complete their studies is a great deterrent to potential.

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As a government we must do what we can to ensure that Canadian educational institutions will continue to produce highly educated adults who will be the next professionals and teachers for future generations. Through tax assistance and changes to the registered education savings plan, the RESP, student and parents will be better able to save and provide funds for those important years of study.

The government has announced its intention to extend the interest free period for students facing hardships in repaying their loans from 18 to 30 months. Furthermore, the Minister of Human Resources Development will be looking into the possibility of negotiating with the provinces to alleviate part of the burden of a payment schedule for students.

• (1210)

The initiatives I have discussed are the ones I have gauged to be of the most interest to my constituents in my riding of Parkdale—High Park. These initiatives are clear responses to representations from my constituents and other Canadians who have shared their views with the government throughout its mandate. Canadians are content that their voices have been heard and they feel as if they have had a valuable hand in formulating the budgetary process.

I would like to conclude by applying this public confidence and participation to a more global context. I recently had the honour to represent Canada at the Liberal International meeting, hosted by China. This nation has indicated that it is open to the ideas of liberalism which guide many North American and European national policies.

During the nine day meeting, I spent a great deal of time discussing the virtues of public participation in Canada's democratic society. The Chinese were interested to learn how our budget process works, along with the decision making process for deficit targets and monetary policies. I believe that the Canadian system stands as a perfect example of how the public can become involved in the political process by speaking up and being heard. What Canadians have been saying and what the government has been hearing is: Stay the course.

My course will be to exit this Chamber after the 35th Parliament is dissolved. Before doing so, I wish to thank you, Mr. Speaker, for ensuring objectivity and fairness to the democratic process. You protected the rights of every elected member in the House, regardless of party affiliation or sitting as independent members. You also brought into the House outstanding Canadians, such as former parliamentarians, well known artists, outstanding athletes and photographers. You made all of us feel at home in our House of Commons.

I would like to express my appreciation to the table officers, the pages, the interpreters and the Library of Parliament for making my work easier and more effective.

During each of the four terms that I was elected, I was sent here to serve my constituents, to make Canada a better country in which to live and to represent Canada abroad. I was able to do so effectively, thanks to the support resources on the Hill, within the House of Commons and outside the Chamber, especially in committees.

To all individuals, departments, researchers, media, staff and all the others who I would like to mention but do not have the time, my sincere appreciation for all of their support.

[*Translation*]

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, this morning we now have 71 minutes left to talk about the latest budget, about Bill C-93, the Budget Implementation Act, 1997, and the motion to refer the bill to committee before second reading.

As the member for the beautiful riding of Frontenac in Quebec and as a member of the Bloc Québécois, the official opposition, I can hardly be expected to be enthusiastic about the latest budget which as far as I am concerned is a lot of smoke and mirrors. This is an electoral budget.

First of all, when the Liberal Party came to power on October 25, 1993, about three and a half years ago, the Conservative deficit was around \$42 billion. For the current year, the deficit should be around \$17 billion. Sure, the deficit went down by \$25 billion, because the minister was able to take advantage of favourable economic trends and because of the drastic and often brutal cuts he made in his budget.

First of all, let us remind the Minister of Finance that today the employment insurance fund has a \$6 billion surplus.

• (1215)

So what did they do to get this \$6 billion dollars? They kept employer and employee premiums very high. They reduced the time during which workers who lose their jobs can receive benefits. They also increased the number of hours worked—we now talk about hours—people need to qualify.

Furthermore, 1 per cent of 55 per cent is deducted for every 20 weeks a worker draws employment insurance. If a worker receives employment insurance every year, after 20 weeks of benefits he will reach the minimum, which is 50 per cent of his eligible earnings.

So there is a \$6 billion surplus the government uses year after year to reduce its deficit. It also cut \$4.5 billion in transfers to the

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provinces. In other words, the government has offloaded a substantial part of its deficit onto the provinces, including Quebec. The Quebec government also has to make cuts in transfers to municipalities and school boards. This is a chain reaction. You kick your neighbour, who kicks the next person, and so forth.

What I really want to condemn this morning, during the 10 minutes I am allowed, are the promises made but not kept in the notorious red book that was distributed across Canada. Today, we are looking for copies to give our constituents before the next election, but they have become very rare. I am willing to pay a lot for the red books that were being circulated in 1993, just like Mao's little red book. I suppose the Liberal Party, in its shame, has collected all the red books and burnt them.

Mr. Speaker, you know the Prime Minister often has a colourful choice of words. He said they were going to scrap, and I imagine he meant tear up, the GST legislation. And now, less than three and a half years later, instead of scrapping the GST, he is doing everything he can to hide it. In fact, he gave \$960 million, nearly \$1 billion, to three small maritime provinces for harmonizing his GST with their provincial sales tax, the so-called harmonized sales tax, the HST. So that is what the Prime Minister and the Minister of Finance did to make us accept the fact that the GST would no longer exist, at least in part of the country.

I may remind the Minister of Finance that he is not being fair to all citizens of this country. Two weeks ago, in a pre-election tour of my new riding, I met the mayor of Saint-Ludger, in the Beauce region, who asked me: "Why is the government not treating Quebec fairly? How does it explain giving \$1 billion to harmonize the GST in the Maritimes, when we in Quebec did it in 1991 with Robert Bourassa, the Liberal premier in Quebec at the time, and Brian Mulroney, the Conservative Prime Minister?" Mr. Mulroney had the courage to create the GST, and it is the cause of his downfall to a large extent and of the Conservative Party's being swept out of office in all but two ridings in Canada.

So, Brian Mulroney and Robert Bourassa agreed in Quebec to harmonize their sales taxes, the GST and the QST. The Government of Quebec collects them, while, in the case of the maritimes, Ottawa will be collecting them. Year in and year out, it costs the government in Ottawa some \$60 million, because we split the cost of recovering the government's GST fifty-fifty.

• (1220)

What does this government give the Quebec government in exchange for having harmonized in good faith in 1991? Zilch. It gives it nothing. This government is not treating Quebec taxpayers fairly. And Frank McKenna is using the money he gets from the

federal government to pay for advertising to lure our industry away.

Another fine promise I would like to look at in the now extinct famous red book is the slogan of "jobs, jobs, jobs". I was listening to the Prime Minister saying in a speech last week: "We have created 675,000 jobs in the past three years". In my region, while I was taking part in the opening of a new store known as Intermarché, the owner told me they were going to create 55 new jobs. At the end, off in a corner, I said: "You are going to create 55 new jobs, that is great. However, will there be layoffs in the other stores you will be getting your customers from?" He said: "Well, sir, one thing leads to another. Nothing is wasted in nature. I will create 55 jobs here, so 55 jobs will be cut somewhere else". The fact that there is a new Intermarché in Plessisville is not going to cause people to go grocery shopping three times a week.

It is the same story in the restaurant business. A new restaurant is opening on rue Notre-Dame, creating 43 new jobs. But I would expect there will be 43 layoffs in other restaurants.

I could remind the Prime Minister, who is going on about how he has created "jobs, jobs, jobs", that we have never, since the terrible economic crisis of the 1930s, seen an unemployment rate as high as this go on for so long.

Three weeks ago, one of my constituents turned up unannounced at my office with his tax returns. He asked my secretary if he could meet with me. Naturally, I saw him, but I wondered why he had brought along his tax returns. This was a man of 66, retired from the asbestos mines. Before sending off his tax returns, he had to add a cheque in the neighbourhood of \$3,000 to each envelope, the one for the Government of Quebec and the one for Ottawa. I said to him: "Why don't you help us bring about sovereignty for Quebec?" Instead of having two agriculture ministers, a Prime Minister and a provincial premier, two industry ministers and so on, two of everything, you would just send your cheque to one place. Of course, the one cheque would be much higher but, proportionally speaking, you would pay a bit less and you would get better service". Right now, we have a premier, who is working to help Quebecers, and a Prime Minister, who is doing anything but.

Mr. Speaker, I request another 30 seconds in which to wrap up, 30 seconds to talk about the results of the Gallup poll that came out this morning. It says that a majority of Canadians, 45 per cent, say we are worse off today, after four years of Liberal government, worse off today after what this Prime Minister's Liberal government is going to try to make us believe during the next election campaign. The Gallup poll results appeared on page 7 of this morning's *La Presse*.

I take this opportunity to urge you to be wary and not to swallow everything you hear from politicians.

*Government Orders**[English]*

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, it is a pleasure today to speak on the budget debate. In the 10 minutes that I have I would like try to dispel some big myths. The government has been making misrepresentations to the Canadian public over the last three years in what it claims to be doing with its budget and its fiscal, macro and micro economic policies. The reality is that the financial situation is very different from what the government portrays it to be. Members of the government have repeatedly said a number of things that do not represent the real economic situation of the country.

- (1225)

I would like to go through a few of them. The first myth the government likes to put forward is that it does not increase taxes. In my hand I have a list of over 30 tax increases that the government instituted since it came into power.

I will mention a few of them. The lifetime capital gains exemption was eliminated. The tax on private corporations dividends was increased. The air transportation tax all Canadians pay as they go through an airport was increased. The corporate surtax was increased. The excise tax on gasoline was increased, something that affects everyone, in particular people on fixed incomes.

There was a reduction of \$8,000 in RRSP overcontribution. This is at a time when the government is telling people that the CPP is in a bit of trouble, that it will have to take some extreme measures to save it and that in future they had better look forward to trying to provide for themselves. What did the government do? It prevented people from actually taking care of themselves by saving money for future retirement.

It increased EI premiums from 3 per cent to 3.07 per cent. There have been a total of four increases in the CPP premium. That is a tax. It has gone from under 5 per cent to 9.9 per cent. That is what the government has done.

It is completely disingenuous to say there have been no new tax increases. There have been lots of them. That is not the way to get our fiscal house in order. The way to do it is to cut sensibly and compassionately, get rid of the waste, prioritize spending, and prioritize the money the people of Canada give to the government and spend it wisely on those things government does best.

Some would argue that increased tax on corporations is a good thing. When corporations are taxed it is the public that is being taxed. All those taxes fall on to the consumer to pay. It is not a tax on somebody who has deep pockets. It is not a tax on somebody who has a lot of money. It is not a tax on people with seven-digit incomes. It is a tax that has to be passed on to the consumer.

Further, taxing corporations will make them unable to compete within and outside Canada. That puts Canadians out of work.

Hence the fact that our unemployment rate has been hovering around 10 per cent, the worst since the depression.

The government says it is a defender of medicare. It says it has put about \$500 million into it. Bravo, but how could it possibly put \$500 million into medicare when it has just removed \$7 billion from education, health and welfare? It does not add up.

The government likes to say it is interested in jobs, jobs, jobs. As I mentioned before, the job situation is completely appalling.

There are things that can be done. This is not rocket science. There are real life examples of measures the government could institute to enable us to get our house in order. Where are they?

Two places come to mind. First is Alberta. Alberta is the top fiscal performer in Canada and in North America. It is the best. Why? It has cut sensibly, is now running a budget surplus and can bring down its debt, the real ogre in the situation. By bringing down the debt, the structural changes necessary can be put forward to get social programs in order and bring in tax relief. In essence, it provides economic impetus that puts people back to work and enables Canadian companies to be more competitive.

- (1230)

New Zealand is the other real time example. Instead of increasing taxes it drops taxes. Other countries such as Lebanon are doing the same. As a result, there has been a huge influx of capital and investment into these countries which has enabled them to create jobs and to become more economically aggressive.

There is no reason we cannot do this today. I suggest the government take a few suggestions from countries that have done something good for their people. There is more we can do. The government should have listened to the plan we gave it three years ago. My colleagues put forward a budget that would have given the government the ability to balance the budget by 1997. If it had taken the plan we put forward, the budget would be balanced. We would be running a surplus. We could have reduced debt and provided tax relief to all Canadians. Did the government do this? No, it did not.

Our party also put forward sensible solutions to decrease inter-provincial trade barriers to prevent blocks to commerce within the country that prevent companies from being competitive across the border.

We also need to improve our education system. Making it more attuned to the needs of the 21st century is absolutely essential if we are to be competitive in the future. Similarly enabling students to have enough money to pay for their education is important. Students cannot do this if they cannot get jobs and once they are educated there are no jobs for them.

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A massive brain drain is currently taking place. Our best and brightest students are going to other countries because they cannot get jobs in Canada. Furthermore, many who stay in here are finding it impossible to work in what they are good at. They wind up taking jobs for which they are overqualified. It is a huge waste of the best and brightest.

We need to do many other things. Above all we need to institute confidence in the Canadian public, Canadian corporations and foreign investors. It is impossible to do so if we continue to mismanage the finances and the fiscal responsibilities of the government.

Plans have been given to the government yet it has chosen for political expediency not to listen. If the government were to take the bull by the horns and put forth solutions, the public would fall in behind it. The public would say it has a government that is making decisions, that is taking action, that is not trying to be ruled by opinion polls and focus groups, and that is prepared to put forth sensible, effective solutions to the problems.

The government must consider several points. It has to get its fiscal house in order, bring our deficit to zero and decrease the debt and taxes. It has to provide strong educational support to the students and get rid of egregious restrictions, rules and regulations that prevent our companies from being the best they can be. It should take a leaf out of the books of other countries, look at what has been done there, look at what has been successful, employ it here, and above all else act.

Mr. Bill Graham (Rosedale, Lib.): Mr. Speaker, I am pleased to be recognized to speak on the important budget we were privileged to assist in presenting to the House recently. I could not disagree more with the words of the member for Esquimalt—Juan de Fuca. The budget responds to the needs of the country. It responds to the needs of the people of my province of Ontario. It strongly responds to the needs of the people who live in Rosedale.

• (1235)

Rosedale is a complicated riding. It is an inner city riding with a great diversity of talent and background in its population. Its workforce is spread between those who work in some of the major financial institutions, mining companies and other big companies located in Toronto and those who have modest earnings in the southern part of the riding, some of whom are subject to the pressures of living in an expensive urban environment where they are dependent on social housing and welfare to survive.

It is important that budget has achieved the need to get our fiscal house in order. It has stayed the course in that extraordinarily important enterprise. As a result we are seeing the fiscal integrity of the country being restored. As a result of interest rates being low we are seeing more investment and a return of jobs for Canadians. In that sense the budget is making its most important contribution

to the underlying economy of the country and the well-being of all Canadians wherever they may be located.

It is a budget, however, that does not follow the tenets of the party the member from Esquimalt spoke for. It does not seek to achieve fiscal rectitude on the backs of the poor and the disadvantaged. On the contrary, the budget has enabled us to address some very serious problems in society. I do not intend to go into all of them, but in my riding there is no doubt the budget's concentration on the need for reform of the old age security system country and the Canada pension plan has enabled seniors, the most disadvantaged, to say we are looking at a system that will address their needs. We are guaranteeing the preservation of a healthy, sane and intelligent policy for sustaining the seniors population into the future. That has to be one of the great contributions of the budget.

In the budget we have addressed another great problem facing many of us, the extraordinary issue of youth poverty. We cannot afford and should not further tolerate the problem of young people and children living in poverty. Nothing can be accomplished overnight. The seeds have been sown in the budget. The child tax benefit and other measures taken in the budget will help address this extraordinarily important social problem.

The budget contains a hopeful message for youth. It contains specific programs for youth employment, some innovative, useful and important programs to enable young people to get their first jobs.

The budget addresses the future, perhaps one of its most exciting aspects. The Minister of Finance made it clear to the Canadian people, to the government and to those of us in the House that we must have an intelligent policy for our future. If we are to have a future at all in a complicated, integrated global society in which we must remain competitive we must be able to deal with knowledge. We must deal with our survival in the most sophisticated manner. We must have a proper balanced approach to investment in research and development.

In that sense the construction of the Canada Foundation for Innovation is one of the most innovative and important steps any government has taken in a long time in this respect.

I would like to take the time of the House to read the comments of one of my constituents, the president of the University of Toronto, on the budget. He drew the attention of the public to the importance of the budget from a university perspective. In a recent publication he wrote:

February was a banner month for the University of Toronto and all other Canadian universities. The federal budget, containing the best news for Canadian research in many years, represents a new beginning for Canada and moves universities to a central place on the nation's agenda. It deserves the enthusiastic support not only of

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universities but of all U of T alumni and all Canadians who believe in a more prosperous future built on ideas and innovation.

The budget commits the government to critically important investments in Canada's future. It allows us to begin restoring the international competitiveness of our universities and teaching hospitals; it helps students and their families meet the rising costs of higher education; and it encourages the private sector to give more generously in support of public purposes.

The \$800-million Canada Foundation for Innovation announced in the budget is a historic reaffirmation of the federal government's responsibility for research and innovation. We are extremely proud of the fact that the foundation will be headed by Dr. John Evans, an alumnus and one of U of T's most distinguished presidents—The foundation will help build critically important research facilities across Canada, facilities that will attract and retain Canada's outstanding scientists and enable them to unleash their full creative potential. In full partnership with the provinces and the private sector, this program will create new opportunities and jobs for the next generation of Canadians.

The decision announced in the budget to make the federal Centres of Excellence program a permanent part of our national science and technology policy ensures a secure foundation for partnership between universities and the private sector. The overwhelming success of the centres over the past 10 years fully justifies this vote of confidence.

• (1240)

The president went on to say that the tax incentives to be provided for students are a very important contribution to enable affordable university education for students and that the improved tax treatment of charitable donations would help unlock private wealth for public purposes. The budget has thus contributed as well to the welfare of our universities and other public institutions.

[Translation]

I believe that we must say a few words about this centre, or foundation, for innovation, because a number of Quebec MPs have criticized the budget and also the creation of this foundation.

It must be acknowledged that the purpose of the foundation is to enhance Canada's R & D capacity on the national level. In deciding which projects will be funded, therefore, the foundation will be more concerned with research excellence than with allocation by province.

A significant research potential is available from one end of Canada to the other. For example, Atlantic Canada distinguishes itself in the area of ocean and fisheries research; Saskatchewan, in biotechnology; Quebec and Ontario, in pharmacology; and Alberta and British Columbia, in sustainable forestry, to give but a few examples.

The foundation has the capacity to examine in depth all of the proposals for funding research and other crucial sectors, giving priority to quality projects. What is more, the bill calls for the

foundation board to reflect regional diversity and to have equal representation from research and from business.

Everything points to the regional representativity of the council and the expertise of its researcher and business leader membership guaranteeing a fair and equitable distribution of funding while reflecting regional realities.

I would like to add that the president of the University of Toronto's reaction to the announcement of the foundation's creation in last February's budget was that it would make a huge contribution to the national infrastructure required to promote a knowledge-based economy.

I was, therefore, interested and somewhat astonished to hear the hon. member for Verchères criticize the budget and express regrets that the Varennes tokamak project in Quebec was no longer being funded. Yet it is that budget which has funded a major institution in order to enable it to carry out such research, and if this project merits funding, it will have the opportunity to get the money it needs. And that is exactly what has to be done.

• (1245)

In closing, I will return to what I said at the start: this is a well-balanced budget, and one which has acknowledged the need to bring the deficit under control, while making it possible for the less advantaged in this country to survive.

On behalf of my constituents of Rosedale in Toronto Centre, I wish to state that this budget will be accepted as one of the best the Parliament of Canada has ever seen.

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, I rise in the House today to speak to Bill C-93, an act to implement certain provisions of the budget tabled in Parliament on February 18 by the Minister of Finance.

This bill, which was tabled last week, proposes measures to implement the government's latest budget. It was tabled just last week, and the government wants to use the fast track to refer the bill without delay to the finance committee for consideration.

As we all know, the main objective of the latest federal budget is to fight the deficit, but at the expense of the provinces, with cuts of \$4.5 billion in transfers to the provinces, and at the expense of the most vulnerable in our society, with cuts affecting health care, education and social assistance.

This was a very harsh budget. Today, we read in the results of a Gallup poll that Canadians feel they are worse off than they were four years ago. It is the truth. Most Canadians feel they are worse off than they were four years ago when the Liberals were elected.

The article in *La Presse* says:

The majority (45 per cent) of respondents believe that they are worse off now than in 1993, in other words, since the Liberals came to power in Ottawa. A little less than one

third (32 per cent) feel they are now better off, while one fifth (20 per cent) have seen no noticeable difference in their lives during these past four years.

In practically all age groups, negative responses predominate. This is particularly obvious in the 50 to 64 age group, where only 16 per cent of respondents said they felt they were better off and 54 per cent said they were worse off. There you have the Liberal government's disastrous record for the past four years.

However, the 1997-98 budget contains no job creation measures. Worse yet, the federal government has been the main source of collective layoffs during the past years: 45,000 public servants lost their jobs. And because of cuts made by the provinces, because of the reduction in transfers of federal funding, hundreds of thousands of people have lost their jobs in provincial and municipal governments and in our school boards. In Canada generally, 200,000 people lost their jobs at provincial and federal levels.

As I said earlier, I represent Bourassa, a riding in Montreal which is now the unemployment capital. The federal government has done nothing. It appointed a minister to look after Toronto but did nothing of the sort for Montreal.

• (1250)

As regards the deterioration of Canadians' situation, I have here figures on poverty for the year 1995, a report from the National Council of Welfare. In its report, the council says that the statistics on poverty for 1995 were alarming. Growing family poverty raised the overall poverty rate to 17.4 per cent and the number of Canadians living in poverty to close to 5.1 million, a new record for the past 16 years. The number of such people was higher in 1995 than in the darkest period in the two recent recessions.

As far as children are concerned, the rising level of family poverty has caused a corresponding increase in poverty among children. In 1995, the level of poverty among children reached 20.5 per cent, and the number of poor children was over 1.4 million. This is the highest figure ever reached in the past 13 years. Those are the statistics for 1995. We are in 1997, and the situation has got even worse.

The immigrants form another sector of the population becoming increasingly poor in Canada. What does the report say? The levels of poverty among single people born in Canada and families where the heads of households were born here are invariably lower than those of corresponding groups of immigrants. In 1995, for single people born in Canada, the rate was 34.9 per cent and for those who had immigrated to Canada, it was 42.8 per cent. The poverty rate for heads of households born in Canada was 12.9 per cent, while it was 20.3 per cent for those who were born elsewhere.

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In addition, the government has imposed a tax of \$975 on immigrants, including refugees. These days, Canada is the only country in the world to impose a tax on refugees, which contravenes the Geneva convention.

We have said that the level of poverty is increasing among old people, especially among people who have lost their jobs. At the age of 45 or 50 they are no longer able to find work. The government has made the situation worse by eliminating the program for older workers adjustment.

The situation is very serious in my riding in Montréal-Nord, but there are also signs of hope. I took part in the inauguration of the Montréal-Nord CDEC, the Corporation de développement économique et communautaire. Discussions have been going on for five years, and this was my priority when I was elected a member of Parliament. The CDEC finally began operations in February.

The Government of Quebec made a contribution to the CDEC, as did Montreal North, but there has not yet been anything from the Government of Canada, which was to put in \$170,000. I take this opportunity to pay tribute to the exceptional work done to date by the CDEC's president, Claude Tessier, and by the chairman of its board of directors, Yves Deslauriers.

I also pay tribute to another organization that does a lot for the people of Montréal-Nord, the Montréal-Nord chamber of commerce founded in 1947, which is celebrating its 50th anniversary this year. It has made a major contribution to the economic development of our city. I would also like to pay tribute to its president, Richard Bertrand, and its executive director, Olive Lebeau.

This 1997 budget falls down in many areas. We are going to point these areas out in the election campaign to be launched in two weeks' time.

• (1255)

We are going to talk about the Liberal government's broken promises. We are going to attack the government for its total failure in the fight against unemployment. We are going to condemn this government that has cut tax credits for workers' funds, particularly the Quebec workers' solidarity fund, an important tool for the creation of lasting jobs. We are going to talk about the Liberal government's terrible record over the last four years.

[English]

Mr. John Duncan (North Island—Powell River, Ref.): Mr. Speaker, I am pleased to participate in the debate on Bill C-93, an act to implement certain provisions of the budget which was tabled in February. I wish to direct my comments to those parts of Bill C-93 that allow certain Indians in British Columbia to impose an excise tax and value added tax on sales of tobacco products on reserves.

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I have had the opportunity to speak to the last three budgets and each time the conclusion is inescapable. The Minister of Finance still does not have it right.

Government generated debt and the resulting tax burden is placing many Canadians in a position of financial hopelessness, unable to get ahead and forced to survive with a current personal debt load equivalent to 95 per cent of their annual personal disposable income. This has grown since 1982 from 62 per cent. This administration has picked Canadians' pockets for a further \$24 billion in taxes.

Before I turn to parts II, III and IV of Bill C-93 on the tobacco taxation issue, I would like to make a few comments regarding the manner in which the Indian affairs department is run and offer a few suggestions on what the government could do to improve the legacy of poverty that grips so many members of First Nations.

In 1976-77, not so very long ago, total government departmental spending for the Department of Indian Affairs and Northern Development was \$587 million. Today that number is \$4.3 billion. This is an increase of 2.4 per cent over last year's budget. All of this for 573,000 status Indians registered under the Indian Act, about 2 per cent of Canada's population.

This sink hole of spending is sad because we have continued misery and a sense of hopelessness where so many of our native people live and continue to live. Despite the spending restraint placed on all other government departments, the spending of the Department of Indian Affairs and Northern Development to 1998-99 will grow an accumulative 12.7 per cent during the term of this government compared with a decline of 24.4 per cent in other departments. This is the only federal department in which spending in 1998-99 will be higher than in 1994-95. It has a history of misguided priorities where the current minister feels that maintaining this native dependency on the federal treasury will deliver these people to self-sufficiency. This is a cruel hoax.

Furthermore, the Canadian taxpayer is suffering because despite all the federal largesse and misguided paternalism, the status Indians who live on reserves do not pay income, property or sales taxes on purchases sold on or delivered to their reserves. The department is totally compromised on this taxation issue.

Section 87 of the Indian Act is surely an outdated, out of step section of the act which protects and maintains this counterproductive exemption.

Total government spending for Indians for all departments runs \$7 billion. This excludes the taxation exemption or forgone revenue which results from section 87 of the Indian Act. Reform's position on section 87 is clear. We saw some signs in the Nisga'a negotiations and Sechelt negotiations in British Columbia where the federal government is not dealing straight on the taxation issue.

• (1300)

We have also seen how this tax exemption creates a circumstance where there is no mandate for any other federal department on reserves. For example, the Department of National Revenue has no mandate. This has entrenched a longstanding, self-serving mandate by the Department of Indian Affairs and Northern Development, which has been very counterproductive.

This artificial financial arrangement has also led to many economic dislocations. Lower wages have been justified by the government, lower welfare rates, all kinds of things have been lowered on reserves because of the absence of taxation on these kinds of schemes. In my view this is very counterproductive and in the view of many others.

In hindsight the anecdotal evidence is that native run businesses with a focus on taxation exemption have not been nearly as successful as native run businesses which have operated with the same entrepreneurial focus as off reserve businesses.

To really demonstrate that none of this shows that the taxation exemption is really working, one could ask why are 43 per cent of on reserve natives in Canada on welfare. There are certainly some people getting bloated on the morass of spending. One place is the Hull bunker for the department of Indian affairs which houses 34,000 bureaucrats. Accompanying these public servants are consultants, negotiators, lawyers and advisers, all taking a piece of the \$7 billion in action and keeping the myth and their club memberships alive.

An hon. member: An Indian industry.

Mr. Duncan: It is an Indian industry that has made some very rich.

We have before us today another half step, somewhat like the initiative of Bill C-79 that allows modifications in the application of the Indian Act for certain First Nations. It is a tinkering and at this rate with 600 First Nations we may address section 87 tax exemptions by the third millennium if we are lucky.

This legislation in Bill C-93 is very much a British Columbia specific initiative. Part II of the bill before us will enable the Cowichan Indian tribes to impose a tax on sales of tobacco to Indians on reserves of the Cowichan tribes. The Cowichan tribe is essentially mandated by the legislation to collect a tax from its own membership similar to the way the province currently collects tobacco taxes off reserve. The tobacco taxation provisions for on reserve sales to Indians vary by province and are very complex in British Columbia.

In some provinces there is no on reserve provincial tobacco tax exemption at all. It is a hodge-podge, getting hodgier and podgier.

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To further supplement the application of the first tax in section 2, section 3 of Bill C-93 will enable the Cowichan tribes to impose a second tax or 7 per cent value added tax on sales of tobacco on reserve. One might compare this to the GST which is exempt for tobacco sales on reserve to band members.

Part IV of Bill C-93 enables another First Nation, the West Bank First Nation, to impose a 7 per cent value added tax on all sales of tobacco products on its reserves. The West Bank band provisions do not include the provincial equivalent taxation provisions that apply on this bill to the Cowichan tribe.

• (1305)

I have raised the issue of native taxation many times both in and out of the House and I have received the rebuke and bluster of the minister. His approach, like his predecessors, is to maintain more or less the status quo.

The government now spends more on natives than it did three years ago. The Indian Act has not been amended, let alone repealed. Accountability for funding is no closer to acceptable procedures, and complaints from many quarters about undemocratic band elections remain unaddressed. Here we have complexities in our taxation scheme in Canada being assailed from all sides. A simplification need is apparent.

Whose agenda is fulfilled by this initiative? Legislative tinkering has become a substitute for substance and vision from this government.

Mr. Murray Calder (Wellington—Grey—Dufferin—Simcoe, Lib.): Mr. Speaker, the overall thrust of this budget has been restoring Canada's fiscal health. The deficit for 1996-97 will be no more than \$19 billion; \$5.3 billion less than the target of \$24.3 billion set in the 1996 budget.

The target for 1997-98 is \$17 billion and for 1998-99 it is \$9 billion. By 1998-99 the deficit is expected to be 1 per cent of GDP with no new borrowings. On top of that these projections are based on prudent assumptions and include a contingency reserve to cover any unpredictable events.

There is more to this budget than just the figures I have talked about, particularly for the agricultural community. I know the chairman of the standing committee on agriculture is going to be very interested in what I have to say about this. This is the national advantage. It is by far a better way of looking at agriculture than what the Reform Party, heckling me from the other side, has come up with so far.

All stakeholders in our agriculture and agri-food sector stand to gain substantially in net benefits from being included within the larger Canadian federation. Together as a strong and modern

unified nation we as an industry are indeed much greater than the mere sum of our individual parts. That is what the Reform regional approach is about.

By being Canadian we have access to a valuable domestic agricultural marketplace serving 30 million people, valued at more than \$70 billion per year. While some interprovincial barriers still continue as impediments, over 90 per cent of our agricultural food products flow freely from coast to coast aided by federally developed standards. This is underpinned by the mobility of human technology and by financial resources and a single monetary system.

By being Canadian we all benefit from national regulatory policies which, for example, created and sustained our made in Canada supply management system for dairy, poultry and egg producers. No one province alone would be able to do so. The financial fiscal policies of this government have resulted in a dramatic drop in interest rates. That has saved thousands of dollars in input costs for farmers and the agri-food business in every corner of the country. It is by far a much better system than the tax cuts that are put forward by the Reform Party. National taxation policies which include unique advantages for agriculture are available to all Canadian farmers.

By being Canadian we all gain from Canada's international credibility and influence earned through 129 years of nationhood. Our reputation for the highest quality and reliability is an invaluable asset, something the Reform Party would try to destroy, the respectful manner in which we deal with our customers.

• (1310)

Our unified Team Canada approach to trade missions in dealing with trade disputes has had a strong role for Canada to play in the WTO, the Cairns Group, the Quad Group, the APEC the Commonwealth, the UN and the G-7. In short, worldwide goodwill about Canada gives us the advantage that could not easily be duplicated. By being Canadian we all enjoy substantial economies of scale. This is important for our bargaining clout in dealing with both consumers and competitors.

It is important in running a world class inspection and quarantine system, the cost of which would be prohibitive on a provincial basis. It is important in the field of science and technology where we have the leading edge in research and development facilities distributed nationally according to local natural advantages with all the accumulated knowledge networked to everyone regardless of location.

The 1997 budget funding for the Canadian Foundation for Innovation can be used in support of research into biotechnology and other agricultural sciences. Our national advantage is impossible to quantify but it is hugely important. It is a combination of

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synergy, strength, equity and compassion which is the envy of the world, and our government is committed to building it even better.

Budget levels for the key responsibilities of Agriculture and Agri-Food Canada, research adaptation, safety nets and inspection, were maintained, ensuring the department would be able to continue to meet the needs of the sector. In maintaining spending for these key areas, the 1997 budget responds to the needs of the sector for stability.

The government is working toward a growing, competitive, market oriented agriculture and agri-food industry, one that is profitable, responsive to changing needs of domestic and international customers and less dependent on subsidization; one that contributes to the well-being of all Canadians and the quality of life in rural Canada and one that generates farm financial security, environmental stability and a safe and high quality food supply.

Significant progress has been made toward these goals but more remains to be accomplished. Strong partnerships with all the stakeholders are key to the further success. To this end the Minister of Agriculture and Agri-Food has been consulted extensively with all the agri-food sectors in all the regions through a series of round table meetings across the country, a national conference on Canadian excellence in agriculture and agri-food held in Winnipeg in June 1996, and a prebudget meeting with all stakeholders this December. The output of this effort is a practical business plan which portrays the ambitions of our sector as we head into the 21st century and lays out an agenda for action for governments, farmers and farm organizations, agri-food business and other stakeholders as we together strive to achieve our future goals.

Examples of this consultative process between government and agriculture and agri-food sectors that reflect this desire to move together are numerous. It is hard to put a figure on it.

The Canadian adaptation rural and development fund, for instance, is providing \$60 million annually to support diversification, value added processing, market development, innovation and job creation. The national biomass ethanol program will help support financing of ethanol plants across the country. This is the fuel of the 21st century. The pesticide management advisory council and economic management advisory committees are being established right now to better foster communication and co-ordination of pest management issues. The Farm Credit Corporation has introduced new programs which will provide long term stability. A national agricultural environment committee, made up of farm leaders, has been tasked with providing the federal government, the federal minister of agriculture, with advice on new policies, research and development and key agricultural environmental indicators. The Canadian Agri-Food Marketing Council will provide strategic sectoral advice on how to make the most of the available market development programs.

• (1315)

I could go on and on with this good news. We must continue to let more and more people know that agriculture and agri-food in Canada accounts for 8.7 per cent of our gross domestic product. Two million Canadians' jobs are dependent both directly and indirectly on the health of the agri-food sector which presently generates \$17.5 billion in exports annually. We are going to go over the top of \$20 billion by the end of the century.

The Canadian agri-food sector is on the leading edge of highly sophisticated science and technology. Canadian agriculture is a leader in environmental stability. It is one of our base industries.

The Acting Speaker (Mr. Milliken): Resuming debate, the hon. member for Peace River. I should warn him that at 1.21 p.m., under the special order adopted by the House last Thursday, I will be obliged to interrupt the debate and put the question.

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, that was the longest one minute I have ever heard.

Mr. Calder: But it's good news.

Mr. Penson: I am glad to be part of the debate on Bill C-93. We have to put things in perspective when talking about a budget implementation bill. My perspective focuses on something that members on the Liberal side of the House have not talked about in this debate, the \$111 billion they have added to the national debt in the past three and a half years.

An equal amount of debt has been generated by the Conservatives and the Liberals, over \$300 billion each in their mandates. It only took the Liberal government three and a half years to accumulate the last \$111 billion. Talk about overspending. We are still deficit financing with \$19 billion in this current year.

I hear Liberal members in the House and Liberal candidates on the hustings say that now that we have a balanced budget they want to be part of the debate on how to address the national debt. The last time I heard, there was still a \$19 billion deficit. That is what is being borrowed this year. That is what they have trouble getting their heads around. They seem to think that a \$19 billion deficit is a balanced budget, and that will be the launching point for them to start spending again. That is what Canadians are worried about.

During the last three and a half years we have gone through a whole process of budget cuts. The Liberals are telling people that now we have a balanced budget with a \$19 billion deficit, we are going to start to talk about what we are going to do from here on. That could only be Liberal mathematics.

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Most Canadians want lower taxes. They want a balanced budget, there is no doubt about that. When we get to that point they want lower taxes which really can only be offered by smaller government. The Prime Minister is saying that lower taxes are not the Canadian way. Where has he been? Canadians want lower taxes. I agree with him that it has not been the Canadian way under Liberal government over the past 30 years, nor was it under the Tory government. Taxes have gone up almost every year to feed this monstrous government we have.

In order to accomplish lower taxes for Canadians, the size government has to be pared down. Most Canadians realize a lot of paring could be done without too much hardship.

We have seen the government spending that has added to our national debt in programs like the national infrastructure program. There is not a Canadian who does not believe that infrastructure needs to be funded, that it is deteriorating and needs to be replaced, but a different method could be used to accomplish this. Some kind of a revenue sharing program between the federal government and the municipalities has to be a better way of approaching it. Then we would not get into these patronage, politically driven motives where the ball bounces only at election time. My understanding is that the government has just announced it is going to increase the amount of infrastructure spending in Quebec by about \$112 million. It is going to supplement it a bit before election time. It is important to fix a canal over there.

• (1320)

The infrastructure program that the federal government has proposed will cost \$6 billion. The federal Liberal government has spent \$2 billion in the last three and a half years. It is borrowed money. That money was financed on international money markets. The program has been a failure. Every job created has cost \$60,000 and they are not long term jobs.

Surely the better answer has to be smaller government and lower taxes.

[*Translation*]

The Acting Speaker (Mr. Milliken): it is my duty to interrupt the proceedings to put the question on the motion now before the House.

[*English*]

Pursuant to order made on Thursday, April 10, 1997, the question is deemed put and a recorded division deemed requested and deemed deferred until Tuesday, April 15, 1997 at 12.30 p.m.

Hon. Diane Marleau (for Minister of Justice and Attorney General of Canada, Lib.) moved that Bill C-27, an act to amend the Criminal Code (child prostitution, child sex tourism, criminal harassment and female genital mutilation), be read the third time and passed.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, first I would like to thank my colleagues on the justice and legal affairs committee for their work in relation to Bill C-27.

The committee heard several important witnesses and, following the testimony of those witnesses, decided it would be appropriate to make two major amendments to the bill. I believe that the amendments, dealing with female genital mutilation and the prosecution of cases involving child sexual exploitation committed by Canadians outside Canada, significantly improve the bill by dealing more squarely with the problems of abuse and exploitation of women and children.

Bill C-27 was introduced in the context of the government's willingness to address the serious problem of violence against women and children. Violence violates women's and children's fundamental human rights and freedoms. The harm caused by violence undermines their ability to lead lives free of fear and coercion and imposes great costs on society.

The bill focuses on four particular problems related to violence against women and children: child prostitution, child sexual exploitation, criminal harassment and female genital mutilation. Its purpose is to provide for appropriate criminal legislation to deal with these problems and to make a clear statement that, notwithstanding the context in which it occurs, violence against women and children is clearly unacceptable.

Canada is already playing an important role at the international level to address the problem of violence against women and children. More particularly, through its participation in the drafting of the draft optional protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Canada is committing itself to better protecting children, whether they are here or abroad, from all forms of sexual exploitation and unlawful sexual practices.

The involvement of young people in prostitution, whether in or outside Canada, is a serious and tragic problem which has become more evident over the years. It is particularly troublesome because young people, by virtue of their age and legal status, are more vulnerable than adults to danger, exploitation and abuse.

During the national consultations on prostitution, which were held during 1995 and 1996, it appeared that there was an urgent need to address the problems of youths involved in prostitution as

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some provisions of the Criminal Code related to sexual offences against children have had a limited effect in reducing juvenile prostitution. Thus the changes proposed in Bill C-27 in relation to prostitution are aimed at protecting children from adult predators who seek children for sexual services or exploit young prostitutes for economic gain. These changes respond in part to the consultations and to the interim report of the federal, provincial and territorial working group on prostitution summarizing the results of these national consultations.

• (1325)

In relation to the customers wishing to obtain the sexual services of a person under 18, the present wording of subsection 212(4) limits the ability of the police to gather evidence to support a charge as the youth must either be willing to give evidence of his or her age in court or there must be solid evidence from another source of the person's age. Many youths are not willing to provide evidence of their age. Furthermore, police are not able to execute sting operations against those who would purchase sex from youths as the use of an adult decoy would mean that there was no attempt to purchase sex from somebody under 18 years of age.

During the national consultations on prostitution which I referred to earlier, there was strong support for amending subsection 212(4) to increase its enforceability. The present wording proposed to replace subsection 212(4) in Bill C-27 refers to a person who the offender believes is under the age of 18 years with a new subsection 212(5) providing an evidentiary presumption with respect to this belief.

We believe that both of these subsections will greatly assist the enforcement of this provision by allowing for the use of an undercover operator who can present himself or herself to the customers as being under the age of 18 years.

In relation to those who procure young people for prostitution, a new offence of aggravated procuring would also be created for those who, for their own profits and while living on the avails of youths involved in prostitution, use violence or intimidation in carrying out prostitution related activities. In order to send a strong message of society's absolute abhorrence of this type of crime, the offence carries a mandatory minimum sentence of five years imprisonment.

While procuring youths is never acceptable as evidenced by the high sentences already included in the Criminal Code, procuring youths with these added serious circumstances is even less tolerable and is to be punished accordingly. Both public protection and the expression of public revulsion for such conduct would appear to require that the minimum time served in a correctional system be subject to legislative rather than judicial and administrative control.

As other victims of child sexual abuse, youths involved in prostitution are genuinely afraid to testify against their procurers due to fear of reprisal. The same can be said in relation to young victims of child pornography or of assault. For this reason, special protection to ease the burden of these youths testifying in court are made available in Bill C-27. These protections include publication bans as well as methods of testifying that are less intimidating than courtroom testimony such as video taped evidence or the use of screens.

Child sex tourism is another important area covered in Bill C-27. As members have seen in the media, there is growing concern at the national and international levels that citizens, mainly from developed countries, should not be able to go to a foreign, usually developing country and sexually exploit children with impunity.

Initially, Bill C-27 proposed to amend the Criminal Code to enable the criminal prosecution in Canada of Canadian citizens and permanent residents who travel abroad to engage in the sexual exploitation of children for money or other forms of consideration. However, in light of very important testimony of several witnesses, the justice and legal affairs committee decided that the bill should go further and allow not only for the prosecution of Canadians who engage in what is often referred to as child sex tourism, but also of Canadians who sexually abuse children, including Canadian children while abroad without any money or any consideration being involved.

• (1330)

The committee decided that two preconditions would be necessary before prosecution could be instituted in Canada in such child sexual abuse cases. First, the foreign state where the offence is alleged to have been committed would have to request Canada to prosecute the offence. Second, the consent of the responsible provincial attorney general would need to be obtained.

The committee decided that contrary to cases involving child sex tourism, where a clear international consensus exists, cases of child sexual abuse committed by Canadians outside of Canada could not be prosecuted in Canada without complying with these two preconditions.

I believe that in view of the lack of international consensus and for reasons related to the sovereignty of the state in which the offence is committed, such preconditions will allow Canada to comply with proper jurisdictional principles.

The practice of child sexual exploitation, whether in Canada or abroad, can be stopped only if each country is committed to adopting legislation to fight it and to working at the international level to have it recognized as being subject to criminal liability notwithstanding where the crime has been committed.

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Bill C-27, as modified by the justice and legal affairs committee, recognizes this commitment and sends a very strong message nationally and internationally about Canada's intolerance of such abhorrent practices.

As the preamble to the bill indicates, this government is also committed to taking strong measures against criminal harassment or stalking, as it is sometimes called. The two reforms proposed by Bill C-27 will do exactly that and will thereby provide increased protection to women and their children, who are often the victims of such conduct.

Bill C-27 proposes that a person who commits murder while stalking in circumstances where he or she intended to make that victim fear for their safety and that of others, such as the victim's children, can be convicted of first degree murder. First degree murder carries mandatory life imprisonment with no eligibility of parole for 25 years.

Bill C-27 also proposes that a court imposing a sentence on a person convicted of stalking in the face of an existing protective court order shall treat such a breach as an aggravating factor for sentencing purposes.

Support for this strong denunciation of stalking conduct was recently expressed by the federal, provincial and territorial ministers responsible for justice at a meeting in February.

Further, the Department of Justice's report on the implementation of existing criminal harassment provisions released in January also supports such efforts to treat criminal harassment as a more serious offence.

Bill C-27 also addresses the need to protect women and girls from the life and health threatening practice of female genital mutilation. Young girls in particular are especially vulnerable to this practice by virtue of their lack of maturity and will clearly be afforded better protection against this practice.

Bill C-27 proposes to clarify the existing law's prohibition of the practice by specifically stating that no form of female genital mutilation is permitted by Canadian criminal law.

The Standing Committee on Justice and Legal Affairs has further strengthened this amendment to ensure that there can be no doubt about the illegality of the practice of female genital mutilation. No one can consent to such a procedure that results in bodily harm.

This reform will facilitate the collaborative efforts of the departments of justice, health, the status of women, Canadian heritage and citizenship and immigration in developing public, legal, health and cultural and educational materials on FGM.

• (1335)

I wish to reiterate this government's commitment to addressing the problem of violence against women and children. I believe Bill C-27 is further evidence of Canada's leadership in that area, as it

deals with several issues where young people and women are particularly vulnerable, juvenile prostitution, child sexual exploitation, female genital mutilation and criminal harassment.

Not only is Bill C-27 important for all Canadians, it demonstrates Canada's unwavering commitment at the international level to co-operate with other countries in developing measures to curb the abhorrent practice of sexually exploiting children wherever it takes place.

I think this bill demonstrates the commitment of the federal government in dealing with the criminal law to ensure that appropriate measures are put in place to deal in a tough manner with criminals and those who would decide to breach the norms of a civilized society, those norms contained within the Criminal Code of Canada.

As has been indicated on a considerable number of occasions, this legislation adds to the list of very successful, progressive legislation that has been put in place over the last term of the government to get tough on crime. More criminal legislation has been put in place by this government to get tough on crime than any government in the history of our nation. We have much to be proud of.

I wish to congratulate the members of the standing committee on legal affairs for their work and the Minister of Justice for his work in providing this type of leadership throughout the country in the field of criminal law.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, in Bill C-27, you will understand that, at this stage of the debate, the government is already aware of the position of the Bloc Québécois.

In this bill, I think the Bloc Québécois has already, on a number of occasions, distinguished itself in the debate concerning amendments to certain provisions of the Criminal Code to protect, among others, children and young women who, in certain situations, were subjected to certain painful practices. We have tried on many occasions to have this debated in the House and in committee.

Today, accordingly, Bill C-27 addresses a number of issues, including female genital mutilation, criminal harassment, child sex tourism, testimony by children, prostitution and procuring. It goes without saying that the Bloc Québécois supports the government's approach on all these issues.

I would like to remind the government that the Bloc Québécois member for Québec has worked, I think, extremely hard to advance the debate and, to a certain extent I would say, to persuade the government to take the direction it did with Bill C-27. I will just mention her private member's bills: Bill C-246, an act to amend the Criminal Code with respect to the sexual exploitation of children

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outside Canada, and Bill C-235, an act to amend the Criminal Code regarding the genital mutilation of female persons.

As a result of these two bills, of questions in the House and the pressure by the entire Bloc Québécois—since the entire caucus supported the hon. member for Québec in this—the government decided to act and to introduce the bill we now know as C-27.

Given its origins, you will understand that the opposition is in favour of bill C-27. The opposition has always been in favour of bills which advanced the debate, which were aimed at remedying situations and shortcomings, and Bill C-27 is one such bill.

• (1340)

As I was saying, then, Bill C-27 addresses a number of aspects, including sex tourism. Given the stage we have reached, I will go over it component by component, with comments and a list of certain things we would have liked to have found in the bill, but unfortunately do not. The Bloc Québécois will, no doubt, manage to get the government to give in, as it has this time with this bill, with a future amendment to the Criminal Code, or in another Parliament.

Now, when referring to sex tourism, we must understand the context. Everyone will agree with me when I say that the exploitation and victimization of children for purposes of sexual gratification is odious, but does unfortunately exist. This is not something much seen in Canada, but it does unfortunately exist in the third world, in the Asian countries. Poor and disadvantaged children in the developing countries are sometimes abused sexually by tourists from Canada and from Quebec.

In the name of profit, children are kidnapped, beaten, humiliated, and exposed to all manner of diseases, some of them fatal. If we were to do nothing about this, I believe we would be indirectly contributing to this universal scourge.

If this type of sex tourism exists, however, it is because there are people interested in it. We are speaking of people who are usually well-off, who come from the rich countries, the Canadians, the Germans, the Italians and the French. We had to set an example, and Canada has already done so on a number of occasions, no doubt because of the history of this country and its international image developed over the years. We have always set examples in certain areas of activity, and here again we are showing the world how far ahead we are. I am particularly pleased that this idea originated with a member from Quebec.

So, we have financially well-off tourists paying for trips to exotic countries solely for the purpose of purchasing the sexual services of children. I do not think anyone in Quebec or in Canada is prepared to tolerate that. It is a situation we must do something

about, everyone agrees. But there are limitations, and I understand that. We had to find a way to structure this bill so as to overcome these obstacles. I think we managed to meet our objective, to some extent.

Why do these people, these customers who are financially well off, go outside the country? Because in Canada it is a criminal offence. They argue that they have so much love to give and want to give it to children in third world, to other people. And they argue—I heard all kinds of things when I was looking into this—that their love was shared, that it was mutual.

People also told us there were cultural differences, that some things that were not allowed in Canada were allowed in other countries. There are all kinds of misconceptions here that should be cleared up, and we must tell these people, who may be quite sincere, that what they do is wrong. Their arguments do not hold water, because according to the Bloc Québécois, the official opposition, a child's right to security, health and life is sacred, whether you are in Asia, France, Italy, Canada or Quebec.

The problem was that we needed to send a clear message, and I think we were successful. By passing this bill, the House of Commons will send the message that these are serious offences. This was the context that led us to consider passing legislation to deal with this. We know the typical customer, and we also know the explanations they give, and all this had to be reflected in this bill.

• (1345)

Because of the subject matter, this bill was not easy to discuss in committee. I realized that as I listened to testimony and put questions to witnesses. These are rather delicate matters involving a great many concerns, including cultural differences, because Bill C-27 deals with various sexual aspects of the lives of certain people.

This bill confers a measure of extraterritoriality on the Criminal Code. The authorities can prosecute a Canadian national abroad. The Bloc agrees with that; in fact, our members would have liked to go a little further in this respect. Unfortunately, the amendments we proposed in the House of Commons and in committee were not passed. However, what is already proposed in Bill C-27 regarding the law's extraterritoriality is already a step forward, because there was nothing like this before. So we say congratulations. Bravo. We have understood part of it. We would have liked it to go further, to be more detailed, but it is a step forward, and we willingly support a bill that has an impact in this area.

There is another extremely important element, that which concerns excision or female genital mutilation. Here again, the Bloc tabled a bill in 1994 to prohibit genital mutilation. Because it is

important to see the work the Bloc has done in this matter, it is worth pointing out that, on a number of occasions in 1994 and 1995, the member for Quebec City, who was particularly interested in this, asked the Minister of Justice some questions. At the time, the Minister of Justice said we did not need a special section in the Criminal Code, since it already covered this sort of mutilation. Everything was covered in the Criminal Code. There was no need for change, etc.

The minister is dishing up much the same sort of thing now regarding biker legislation: "Everything is in the Criminal Code. There is no problem. Everything is there. The tools are there for the police". So, you will understand that we might have some reservations. This would not be the first time the minister has done an about-face on an issue because of the pressure the Bloc Quebecois exerts and will continue to exert. We exerted pressure in the case of genital mutilation and we are doing it in the case of biker legislation and on other issues as well. We will continue to ask the right questions, to do the right thing for the security of Quebecers and of Canadians as well, because the amendments we are seeking to the Criminal Code will benefit Canada as well as Quebec. It will all perhaps be part of the future partnership of Quebec and Canada, very soon to come about, I am sure.

Next is genital mutilation. With respect to Bill C-27, I am very pleased that my colleague, the government member, mentioned very clearly during his speech that it was impossible to consent to excision in Canada. You will recall that, during first and second reading of this bill, a person 18 years of age could consent to genital mutilation. This showed a great lack of knowledge of the practice, because it is not carried out by Quebecers and Canadians but primarily by people whose culture is somewhat different from that of Canada. It is easy to put pressure on a young woman of 18 years and one day, when she comes of age, and to say to her: "If you want your husband to love you, you must have this done".

We therefore struggled in committee, and I must say it was quite a battle, to have the Criminal Code recognize that a person could not consent to this practice, whether she was 5, 10, 15, 20, 35 or however many years old, without being charged under the Criminal Code.

• (1350)

But we also emphasized, and I think this will perhaps be up to those who administer justice and enforce the law, that cultural groups who have this kind of practice in their country must be educated and given information.

There are penalties in place and I think this is a very important step for Quebecers and for Canadians. Naturally, there are some weaknesses. We would have liked to see certain provisions in the bill, including one that very clearly makes it a new offence in the

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Criminal Code, to have it singled out in order to draw it to the public's attention. We would also have liked to see genital mutilation considered aggravated assault and clearly indicated as such in the bill, but it is not.

In addition, there are various interpretations of the procedure itself. Do we allow excision when performed by qualified doctors and so on, for medical reasons? I think some things could have been spelled out more clearly, given the importance of the issue. Unfortunately, the minister was unwilling to bend on this point. I understand that, since he had just given in on a major element in his bill where consent is concerned, he was not going to do so with the whole list of Bloc demands made in connection with this bill. At any rate, we do support Bill C-27, because it represents a step forward.

Naturally, where criminal harassment is concerned, the Bloc is totally in agreement there too. This is putting some teeth into what is already in place. The Criminal Code contained certain provisions about criminal harassment, but the sentence was so minimal that, to all intents and purposes, they were hardly ever enforced.

You will readily understand, then, and I will conclude with this, that the government had the entire co-operation of the Bloc Quebecois on Bill C-27 in order to make the bill the most applicable, the most in line with what we are experiencing in Canada, and particularly the most stringent in order to protect those we wish to protect, that is to say, children, young women and all those who suffer directly or indirectly from the scourge of sex tourism, excision or any other offence of a sexual nature.

We support Bill C-27, which was introduced by the government and which is, to all intents and purposes, virtually a carbon copy of the private member's bills we in the Bloc Quebecois tabled in the past.

[*English*]

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I rise today to speak in favour of Bill C-27. At the outset I would like to respond to the remarks made by the parliamentary secretary to the justice minister who suggested that the track record of the government was to be tough on crime. He said that some of the toughest legislation in the history of the country had been passed by this government.

For the first time in the history of the country convicted rapists are walking free due to Bill C-41 and conditional sentencing. For the first time convicted bank robbers are walking free due to conditional sentencing. For the first time child sex molesters are walking free, thanks to Bill C-41 and conditional sentencing. The hon. member speaks about getting tough on crime and criminals, but actions speak a lot louder than words.

I rise today in support of Bill C-27 although I am concerned that portions of the bill which I will deal with later are unenforceable.

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• (1355)

Reform members came to Ottawa in 1993 with a commitment to the Canadian people to reform Parliament. Included in those reforms was a promise to be supportive whenever possible. We promised not to oppose government legislation simply for the sake of opposition. If a bill enhances public safety we will support it. We therefore support the government's initiative in this regard in relation to Bill C-27, in spite of the reservations we have about the unenforceability of some of its sections.

Bill C-27, which is a series of amendments to the Criminal Code dealing with child prostitution, child sex tourism, criminal harassment and female genital mutilation, will help reduce violence against women and children. It is not the only answer. A number of legislative changes must be implemented if we are to continue to eradicate domestic violence and child abuse. Attention must be focused on crime prevention, starting with the identification of the cause of domestic violence.

Section 5 of Bill C-27 amends Criminal Code section 268, making infibulation an offence of aggravated assault. Under Bill C-27 infibulation in whole or in part to the labia majora and labia minora or clitoris of a young person under the age of 18 years will be considered aggravated assault punishable by a term of imprisonment not exceeding 14 years.

Female genital mutilation is abominable and therefore should be outlawed for all Canadians, not just those under the age of 18 years. This barbaric and inhumane practice should be illegal regardless of age to protect all women in the country.

In view of the concern expressed in 1992 by the Ontario College of Physicians and Surgeons this Criminal Code amendment is necessary. The Ontario college reports that there has been a rise in the number of requests of infibulations. Infibulation is the cutting off of a young girl's genital parts including the clitoris and the subsequent sewing together of the opening, leaving room for only urination and menstruation.

Canada has been cited by the World Health Organization as being one of the 40 countries involved in the practice of what has become known as female circumcision, correctly referred to as female genital mutilation.

Female genital mutilation causes a number of short and long term problems including excruciating pain; hemorrhaging; occasional death; exceptionally high rates of infections to the urinary tract, bladder, reproductive organs and bowel; menstrual and pregnancy problems; anemia and disfiguring cysts which not only reduce or eliminate sexual pleasure but often result in extreme pain during intercourse and can even prohibit it.

Suffice to say, the Canadian medical community says female genital mutilation has absolutely no benefits but is completely unnecessary and extremely harmful.

Recently a documentary aired on television on the subject of female genital mutilation. It was absolutely horrifying to witness the barbaric act of inflicting unconscionable pain on a terrified child. It is a memory that will not be soon forgotten. In the film a 4-year old girl sat on what appeared to be stool upon a dirt floor while an elderly woman from the community using a crude instrument cut off her clitoris. No anesthetic was used. No freezing was used. As the girl screamed in horror and pain, the woman proceeded without any sign of anguish on her part or on the part of the mother who not only witnessed the barbaric mutilation of her daughter but was part of it. The mother, showing no sign of emotion, restrained her daughter. When the procedure was complete the girl laid on a dirty mat sobbing with her feet tied together and with her hands bound.

I relay this horrible story to the House today—

The Deputy Speaker: The member will complete his speech at the end of question period.

STATEMENTS BY MEMBERS

[English]

CANADA AND THE WORLD

Mr. Jesse Flis (Parkdale—High Park, Lib.): Mr. Speaker, today I draw attention to a recent international poll conducted by Angus Reid entitled "Canada and The World".

The poll was designed to identify the main attitudes of the international community toward Canada, and I am pleased to say the findings were not surprisingly positive.

Canada is internationally recognized as a tolerant and diverse nation. Its social assistance and health programs are world renown, as is our reputation for peacekeeping and human rights preservation.

• (1400)

Canada is regarded as a resource based economy with natural endowments sought after the world over. Furthermore, those polled indicated that Canada boasted a relatively clean environment that is home to vast scenic beauty across a diverse geographical landscape.

Among the concerns voiced by respondents, Canada needs to come to terms with its treatment of aboriginal peoples, a sentiment shared by last year's royal commission report on aboriginal peoples.

Furthermore, Canadians and others indicate their concern regarding the future of Canada's youth in terms of opportunity and employment.

I am pleased to say that the recent budget included positive steps—

The Deputy Speaker: I am sorry, the hon. member's time has expired.

* * *

LIBERAL GOVERNMENT

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, this weekend the Liberal backroom boys met in Ottawa to determine whether Canadians will undergo another federal election.

Is the legislative agenda of this Parliament complete? No. Have the Liberals completed the four year mandate they were given at the end of 1993? No. Have the Liberals come up with a real plan for the jobs, jobs, jobs they promised? No. Do the Liberals finally have a real plan to ensure the unity of the country? No. Are the Liberals asking for Canadians' opinions on their 40 per cent cut to funding for health care and education? No. Are Canadians demanding an early election?

Why then the meeting of the backroom boys? To decide whether the Liberals should call an election now before their support slips even more.

Canadians can do better. They can make the system more democratic. Under a Reform government elections would be held every four years at a predetermined time of the year. That would be more efficient and more democratic. That is not the Liberal way. They let the backroom boys decide.

* * *

FOOD AND CONSUMER PRODUCTS MANUFACTURERS OF CANADA

Mr. Lyle Vanclief (Prince Edward—Hastings, Lib.): Mr. Speaker, 90 per cent of the members of this House have companies in their ridings that belong to the Food and Consumer Products Manufacturers of Canada. One-quarter of a million Canadians are directly employed by members of this important association.

Members of the Food and Consumer Products Manufacturers of Canada are in Ottawa this week for food and consumer products week on the Hill. Senior company representatives are discussing the future of this important industry, the second largest manufacturing industry in Canada and which contributes \$11 billion to our economy.

I urge all members to join me in welcoming these industry representatives to Ottawa and in wishing them a successful week on the Hill.

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[*Translation*]

PRIVATE GUILLAUME OUELLET

Mr. Jean Landry (Lotbinière, BQ): Mr. Speaker, I would like to pay tribute to Private Guillaume Ouellet of the third battalion of the Royal 22e Régiment of Valcartier, born in Saint-Marc-du-Lac-Long and a resident of the riding of Rimouski—Témiscouata.

Haiti is his second posting as a UN peacekeeper. This time, he is going there for a six-month period to protect the democratic system. In 1995, when he was a militia corporal, he served in Croatia.

I would like to draw your attention to Private Ouellet's courage. While being a leader, he remains compassionate and sensitive to the suffering of people who have been left to fend for themselves.

Although the Canadian Armed Forces are having trouble with their image, we must not forget that most members always perform their duties to the best of their ability.

That is what Private Ouellet does every day on the job, without making a big thing of it. I want to congratulate him and his battalion. I also wish him a happy life and a successful career.

* * *

[*English*]

NEW DEMOCRATS

Mr. Simon de Jong (Regina—Qu'Appelle, NDP): Mr. Speaker, New Democrats had a very successful and enthusiastic convention in Regina this weekend. From coast to coast to coast New Democrats are ready to fight the upcoming election.

Canadians have grown tired of the neo-conservative agenda that has totally dominated this Parliament and the sharp swing to the right by the Liberals since they won office in 1993.

Our country is in danger of falling apart, yet this government hacks away at those things that keep us together, our shared values like our social programs and medicare, our culture, our CBC. Instead the government gives us flags to wave.

Canadians are tired of broken promises. They are tired of fighting the deficit on the backs of the unemployed, the poor and working middle class Canadians while the powerful can move a billion dollars off shore without paying a cent of tax.

Canadians realize that Parliament needs many more New Democrats to loudly protest the abuses by the very rich and powerful. More New Democrats—

The Deputy Speaker: The member's time has expired, I am sorry.

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ST. BONIFACE SCHOOLS

Mr. Ronald J. Duhamel (St. Boniface, Lib.): Mr. Speaker, I rise today to draw attention to two schools in my riding. From Minnetonka School, a grade six class has taken the time to raise concerns on the environment and the future of forests in Canada. I congratulate it for this worthy and extremely important initiative.

• (1405)

[*Translation*]

Second, the Guyot school recently received a major award for its environmental work. The Seeds Canada Foundation gave its awards to students at Guyot because they finished more than 1,000 environmental projects that had been started by students over the years.

[*English*]

Ecole Guyot is the only school in Manitoba to be given this award. These students should be proud of their commitment to a healthier and greener environment.

[*Translation*]

Congratulations to Guyot and Minnetonka for their dedication to a healthier environment.

* * *

VOLUNTEERISM

Mrs. Anna Terrana (Vancouver East, Lib.): Mr. Speaker, volunteerism is very important to all organizations involved in the arts, community work and multiculturalism.

Without volunteers, the work of these organizations would be far more complex and more difficult.

During the 20 years I have done volunteer work, I have met some wonderful people who were deeply involved in their role as volunteers.

[*English*]

This week is national volunteer week and in Canada we have much to celebrate. Not many countries have the luxury of counting on as large a component of volunteers who are skilled, knowledgeable, generous and professional as Canada has.

Today I pay tribute to all those Canadian volunteers I have met and worked with over the years, starting with the seniors of the Italian Cultural Centre in Vancouver who look after the grounds under the leadership of Mario Gabriele, a very generous man of 84 years of age. They do it with pride and love.

To all Canadian volunteers, thank you for your work, generosity and dedication.

* * *

FISHERIES

Mr. John Cummins (Delta, Ref.): Mr. Speaker, the March issue of *Treaty News*, a publication of the Federal Treaty Negotiation Office, tells us that treaty negotiators must come to terms with some basic questions about the B.C. fisheries resource, including the types of access First Nations should have to fish and in general how fish should be allocated.

These questions have been settled by the Supreme Court of Canada. The court has acknowledged an inherent right to fish for food and for ceremonial and religious purposes. It has denied an inherent right to a commercial fishery unless it can be proven that sales were an integral part of a band's culture prior to contact with Europeans, something neither group participating in the pilot salmon sales projects was able to establish.

The court has ruled that the right to sell does not exist in isolation. Others, non-aboriginals, also have rights.

Questions about the allocation of fish have already been answered by the courts. They should not be renegotiated behind closed doors by federal bureaucrats operating under a secret mandate which ignores the Supreme Court of Canada.

* * *

THE ELECTION

Mr. Jag Bhaduria (Markham—Whitchurch—Stouffville, Lib. Dem.): Mr. Speaker, Canadians will be taking a long hard look at the Prime Minister's record in the June election. They will remember his failure to eliminate the dreaded GST. They will remember his failure to initiate an effective job creation program. They will remember his failure to bring real unemployment down.

According to a Statistics Canada report 50 per cent of Canada's youth are presently unemployed. This is almost four million Canadians between 15 and 24 years old who have been left out of the job market. Added to the 1.5 million adult Canadians who are unemployed, the total is a staggering 5.45 million Canadians with no job.

The Canadian dollar is down, long and short term mortgage rates have been increased. On top of this, Canadians have seen the unemployment rate remain at over 9 per cent for 78 straight months.

This is a dismal performance and Canadians will give the Prime Minister and his government a failing grade in the upcoming election.

[Translation]

JACQUESVILLENEUVE

Mr. Maurice Bernier (Mégantic—Compton—Stanstead, BQ): Mr. Speaker, yesterday I was absorbed in Formula 1 racing and its professional drivers.

We had a wonderful show yesterday during the retransmission of the Formula 1 Grand Prix from Argentina. After an exciting and challenging race, this young 26-year-old Quebecer, Jacques Villeneuve, climbed the podium for the second consecutive time when he won this Grand Prix.

With his sixth win in 19 Grand Prix races, he not only managed to equal the record of his late father, Gilles, he also showed us all that he is a real Villeneuve, a real champion. He has now become the racer to beat.

I want to congratulate Jacques Villeneuve on his win and I hope he will go on to win the first championship of his young career.

* * *

[English]

FLOODING

Ms. Judy Bethel (Edmonton East, Lib.): Mr. Speaker, the floods threatening Manitoba today are a tremendous concern to all western members of Parliament.

As a child living in Winnipeg, I can remember the 1950 flood along the Red and Assiniboine Rivers, and I can assure members it was a terrifying experience for me and my family.

• (1410)

Last summer all Canadians witnessed the economic and social devastation to Quebec communities along the Saguenay. While we hope Manitoba's experience will not be as severe, our government is supporting the efforts of the province of Manitoba and the Manitoba emergency management organization.

An interim contribution of \$1.5 million has been made. The federal emergency preparedness co-ordinating committee has been reviewing emergency plans and procedures to ensure that all possible federal support is provided when necessary. While the province has the ultimate responsibility for emergency operations, a co-ordinated effort by federal organizations is already under way.

The Canadian Wheat Board has taken steps to move grain out of the threatened areas. The department of fisheries in Manitoba has prepared its fleet of small boats for use by municipalities. The coast guard is doing ice assessment on the rivers.

The Deputy Speaker: The hon. member for Renfrew—Nipissing—Pembroke.

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VIMY RIDGE

Mr. Leonard Hopkins (Renfrew—Nipissing—Pembroke, Lib.): Mr. Speaker, historians have stated that Canadian nationhood was born on the battlefields of Europe. Those of us who had the privilege this past week of attending the 80th anniversary ceremonies of Canadians having captured Vimy Ridge on April 9, 1917 know this to be true.

Those who fought in places like Vimy, Passchendaele and Ypres wrote Canadian history by their actions. Because of them and thousands like them, Canadians became known for their courage, their determination and their cohesiveness in helping each other both on and off the battlefield. Six first world war veterans were there representing the nearly 1,500 who are still living. Canada's youth were there.

Thank you to all the other veterans who attended and many thanks to Veterans Affairs Canada personnel who did a super job. Because of what visitors see and hear at Vimy and other locations, we as Canadians can never allow the past to become our future. We must all learn from real history.

* * *

[Translation]

MEMBER FOR QUÉBEC-EST

Mr. Benoît Serré (Timiskaming—French River, Lib.): Mr. Speaker, it was disconcerting to say the least to see the Bloc member for Québec-Est last week on the RDI expressing concern about francophones outside Quebec as he promoted his book.

This separatist member should have given a thought first to the events at his party's last convention.

Members voted in plenary session against a resolution by which the Bloc Québécois committed itself to, and I quote: "criticizing in specific terms the abuses and infringements of the rights of francophone and Acadian communities and promoting parallels with investments and commitments made by the Government of Quebec in these areas and thus the Quebec model in this regard".

The separatist member should first try to change attitudes within the Bloc Québécois that have no time for francophones outside Quebec, before he tries to give lessons on the treatment of language minorities—

The Deputy Speaker: I am sorry to interrupt the hon. member. The hon. member for Québec has the floor.

* * *

MICHÈLE LEMIEUX

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, author and illustrator Michèle Lemieux has just been awarded the Grand

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Prize of the Bologna book fair for her highly illustrated book entitled *Nuit Blanche*, published by a German firm.

Nuit Blanche relates the questions of a nine year old girl who cannot get to sleep because of a storm in the night. She wonders about infinity, about what guides her life and takes it one way or another and about where her ideas come from.

The book is intended for readers between the ages of 9 and 15. It is 240 pages long in black and white and will be published this fall in French with Éditions du Seuil.

It is always refreshing to be able to give our children something besides Disney publications. We are therefore awaiting impatiently the French version of this book for our children.

The Bloc Québécois congratulates Ms. Lemieux on her work and the international award she has received.

* * *

[English]

DISTINCT SOCIETY

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, old line politicians still do not get it. Canadians do not like and they do not want distinct society entrenched in the Constitution. A recent poll shows that only 34 per cent of Canadians outside Quebec think distinct society will work and will solve the national unity problem.

Any concept that appears to promote the inequality of citizens or provinces or appears to give special status to any province will be rejected. The defeat of the Meech Lake accord by the provinces and the Charlottetown accord by the people attest to that.

“A vision for the Future of Canada”, the Reform Party’s 20:20 proposals, promotes equality through a better balance of power between the federal government, the provinces and the people through a combination of decentralization and democratic reforms. These reforms address Quebec’s concerns within the confederation.

These changes can be accomplished without federal-provincial constitutional wrangling. What is needed is a federal government that is willing to initiate them.

What part of no do these guys not understand?

* * *

• (1415)

VOLUNTEERS

Mrs. Bonnie Hickey (St. John’s East, Lib.): Madam Speaker, April 13 marks the first day of national volunteer week when communities across the country will pay tribute to their volunteers and reflect on the many ways they help individuals, organizations and causes.

On behalf of all my colleagues in the House I would like to make a special point of thanking all the volunteers who help us as MPs, whom we rely on to assist us in our offices on a daily basis and whom we will be depending on heavily in the days to come and the months to follow.

Volunteers give us more than just their time and efforts. They are responsible for getting us where we are today and we are counting on them to play a vital role in shaping our future.

As the heart and soul of our communities I would like to applaud the volunteers of our country, thank them and congratulate them on volunteer week.

* * *

CANADIAN ARMED FORCES

Mr. John Murphy (Annapolis Valley—Hants, Lib.): Mr. Speaker, I am pleased today to support our Canadian Armed Forces, particularly the personnel stationed at CFB Greenwood, 14th Wing and Camp Aldershot in my riding of Annapolis Valley—Hants.

As Canadians we are privileged to have one of the finest armed forces in the world. I have had the opportunity to meet with many of the personnel stationed in my riding and I am always struck by the high levels of professionalism and dedication they show in their work and in serving Canada. Whether through peacekeeping, search and rescue missions or military exercises, Canadians and citizens from countries around the world know they can count on the Canadian Armed Forces.

Although we have seen some negative attention focused on the armed forces in recent years, let us not forget the excellent work being done every day by our armed forces personnel.

ORAL QUESTION PERIOD

[Translation]

CANADIAN ECONOMY

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, a poll was released today confirming that a majority of Quebecers and Canadians feel they are worse off now than when the Liberal Party came to power in 1993.

I will remind the Prime Minister that his 1993 red book talked about a country facing hardship, with 1.6 million unemployed, millions more on welfare, a million children living below the poverty line and a record number of bankruptcies. What is the situation today? Well, there are almost as many people unemployed as in 1993, and there are still millions on welfare, more poor children and a record number of bankruptcies in 1996.

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Is the Prime Minister aware that he is leaving Canada and Quebec in a worse situation than the one he described in his red book in 1993?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, everyone agrees that we have made great progress. Our interest rates, for example, are the lowest they have been in 40 years.

There is no doubt that unemployment is still too high, but the fact is that, when we formed the government, unemployment in Canada stood at 11.4 per cent, and it is now down to 9.3 per cent. This is not satisfactory, but it is enormous progress.

The Canadian economy has created 750,000 new jobs over the last four years. This is not perfect, but it is more than two, three or four European countries put together, with a total population much greater than ours.

We had a deficit of \$42 billion when we first took office, and that this deficit has been cut by more than half, even exceeding the objectives we set ourselves in the red book. There is no doubt that, when you form the government, no situation is perfect and we will continue to try to make improvements. For example, we are trying to reduce poverty as much as possible. This is why, in the finance minister's last budget, and in co-operation with the provinces, we gave additional tax credits for poor families in Canada.

The work never stops. I think we have made enormous progress, but people naturally want us to do more. That is why we are continuing our efforts to improve the situation.

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, it is the opinion of the National Council of Welfare that poverty is likely to increase in 1996 and in all subsequent years.

So when the Prime Minister talks about satisfactory results, is he aware that the situation is terrible for the public, particularly for the most disadvantaged, for women and the one million poor children in Canada?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I am not going to repeat what I just said. We have focused on programs to combat poverty in our country. We have taken positive steps, implemented new initiatives, at a time when the government's budget is limited. I believe we have made progress in this regard. We have allocated large amounts in order to resolve these problems.

• (1420)

But, as I said earlier, more work must be done, and we intend to do it.

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, the red book criticized the fact that there were one million children living under the poverty line. Right now, the figure is one and a half million.

Is the Prime Minister aware that his policies have not worked, that there are one and a half million children living under the poverty line and that this shows a flagrant lack of political will to tackle the problem of child poverty? Yet, in 1993, he criticized the previous government because there were one million children living under the poverty line. There are 50 per cent more now. Is he aware of this?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I would like to point out to the Leader of the Opposition that, during the federal-provincial first ministers conference in June of last year, we were collectively convinced, provincial premiers and the federal government alike, that the problem of child poverty had to be tackled. We took action, in co-operation with the provinces, through specific measures in the last budget. The only government to put new money into this area is the federal government.

* * *

GOVERNMENT EXPENDITURES

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the Prime Minister can say whatever he wants, but his government has cut \$4.5 billion from social programs. That is a fact. That is what it has done.

As far back as the 1995 budget, the government was announcing its intention to reduce its overall expenditures, with a \$4.5 billion cut in social transfers to the provinces, and that has been fully accomplished; siphoning off \$5 billion from the unemployment insurance fund to reduce the deficit, and that has fully accomplished; a \$10 billion reduction in departmental expenditures, but that has not been accomplished.

My question is for the Prime Minister. Are we to understand from these figures I have just given that, for the government, it was far easier to impose cuts on the provinces and on the unemployed than to cut its own expenditures?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, I am forced to repeat what has already been stated very clearly: the \$10 billion we had said we would cut from our departments have been cut, since this money has quite simply been taken off the public accounts, the allocations to the departments. The cuts we had forecast and described in detail have been made.

As for the transfer payments, compared to our cuts in our own departments, I repeat again: the cuts to our own expenditures, our departmental expenditures, are 40 per cent higher than the cuts we have made to transfer payments to the provinces.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, this is pure demagoguery. In the 1995 budget, the government announced that it would be cutting its own expenditures by 19 per cent over three years; the outcome: 9 per cent. Three billion in cuts were not made. It did not announce that it would cut 19 per cent and

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would then hike them back up again afterward. Really now. That is not what happened.

Moreover, according to page 67 of the last budget, 54 per cent of the government's reduction in expenditures is due to cuts in social transfers. The rest is the \$23 billion more the taxpayers have had to pay over three years. Those are the facts.

Does the Prime Minister realize that his commitments, like the GST, have been trampled under foot?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, once again, taking into consideration the entire program review period, we see that the cuts detailed department by department in the program review have been made. The program review has accomplished the planned results.

During that period, if additional expenditures have been approved by Parliament, these have, obviously, been totally legitimate and for the purpose of enhancing the well-being of Canadians.

I shall close by referring to a study which indicates what has happened in Quebec with the transfer payments. According to this, if Quebec had reduced its expenditures and its deficit at the same rate as the average of the other provinces, it would have virtually eliminated its deficit last year.

And what is the source of this document? It is a document published by the Government of Quebec in October 1996.

* * *

• (1425)

[English]

RIGHTS OF VICTIMS

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, with about two weeks to go before an election is called, the justice minister is working hard to change his image across the country. He is trying to portray himself as tough on crime, really in favour and the champion of victims rights. It is going to take more than words to convince the victims, that is for sure.

The charter of rights has many sections that deal with the rights of the accused, but none that deal with the rights of victims. Something is wrong with this picture and it needs to change.

Let me ask the justice minister this. Will he commit today to passing a victims bill of rights before the election is called? Yes or no.

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we had occasion to discuss that at length last week in the House. As I said on that occasion in answer

to colleagues of the hon. member, the government has always preferred to act rather than to talk.

The hon. member and her friends like to talk about a victims bill of rights, but we prefer to enact legislation to bring those rights to life. Whether it is the right to restitution, which is in Bill C-41 in terms of sentencing to make sure that victims of crime get restitution for their loss, or whether it is the right to take part at the sentencing part of a hearing, as we did for victims of young offenders in the Young Offenders Act changes, the government has acted throughout to ensure that victims have a role to play and their loss and their interests are respected by the criminal justice system.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, the minister says it was discussed at length last week. We would lay off if the Liberals would give us some answers finally.

The prevailing attitude among criminal defence lawyers, prosecutors and judges is that victims have no place in the criminal justice system. They think that giving victims rights would introduce emotion and bias into the criminal justice system. They think that giving victims a role in the court process will jeopardize the right of the accused to a fair trial. Who is paying a price here in terms of emotionalism and some sort of bias?

I want to ask the government's top lawyer this question, and I would appreciate an answer. Does he think that giving victims any rights would compromise the fairness of the judicial system? Is that not the least he could do for victims?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, a year ago when this issue was debated in the House and before I requested the justice committee to look at the whole issue and have hearings, if necessary, I spoke in the House. I brought to the attention of hon. members the fact that in 1988, which is now nine years ago, the federal and provincial attorneys general adopted a statement of the entitlements of victims in the criminal justice system. That included a commitment by both levels of government to see to it that victims were given due notice of when a case was being called, that they were informed of their right to participate as provided by law.

I read the statement of principles to the House. That statement of principles has guided federal and provincial governments since 1988, virtually the same statement of principles that the Reform Party wants us to adopt as a so-called bill of rights.

Therefore, the reality is that for the last nine years, both federally in creating the criminal law and provincially in the administration of justice, those principles in favour of victims have been in place.

I urge the members of the Reform Party to look at that statement and realize they are already in place.

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Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, the minister says that victims are given due notice. They want a little more than due notice. Victims must come first. They have the right to be informed. They have the right to have their voices heard at any stage in the judicial process. They also have the right to be protected from intimidation, harassment and abuse. Those fundamental rights must be reflected in the justice system.

Therefore, I ask the justice minister once again: Will he pass a victims bill of rights, which is an umbrella operation over far more than just the Criminal Code? Will he pass the victims bill of rights before the next election? Is he going to pass the bill or just simply pass the buck?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as the hon. member has just said, what she proposes goes beyond the criminal law. Indeed, it goes directly into some areas of provincial jurisdiction, including the administration of justice.

As soon as a charge is laid under the Criminal Code, it is the province that carries the prosecution, the province that must provide for grief counselling and other services to victims.

Let me mention one other thing and it is this. The hon. member also referred to what the government does or can do for victims.

• (1430)

Last week I brought to the attention of the House the position of a nationally recognized organization of victims called CAVEAT. Through its president, Priscilla de Villiers, CAVEAT recognized that the government has made significant changes in the last three and a half years and that the government is prepared to listen and to act.

When the Canadian public comes to judge our performance they will not listen to the hon. member, they will listen to CAVEAT. CAVEAT has told the truth.

* * *

[Translation]

MIRABEL AIRPORT

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, my question is directed to the Minister of Transport.

During the past 30 years, the people of Mirabel have suffered as a result of a number of erroneous decisions by the federal government. Since Aéroports de Montréal was established, the Liberal government maintains its back on Mirabel Airport and concentrated on the airport in Toronto. This morning, 20 mayors in the Mirabel region once again expressed serious concern about the

very survival of this airport to a delegation of five members of the Bloc Québécois, headed by the Leader of the Opposition.

Would the minister respond by taking part in the work of the joint commission created by the Bouchard government to guarantee the viability of Mirabel and consolidate its role as an engine of the region's economy?

[English]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, we are quite happy to co-operate with any organization that wishes to improve the utilization of the two airports for Montreal, Dorval and Mirabel.

[Translation]

However, the hon. member who is critical of ADM should remember that it was the current Premier of Quebec who, when he was the minister responsible for Quebec, established ADM and created this independent body which apparently is no longer to his liking.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the minister seems to forget that his government has been in power for three and a half years.

Since the government is prepared to pay almost \$250 million in compensation and miscellaneous payments to Pearson airport, is the minister prepared to approve the necessary funding to guarantee the continued existence of Mirabel airport?

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, the government wants both Montreal airports, Mirabel and Dorval, in good working order.

Charter flights and cargo would go to Mirabel, but international passenger flights would go to Dorval. We support the ADM policy in order to promote the use of Montreal as an international centre, to use both airports and maintain connections with Europe and other countries.

* * *

[English]

RIGHTS OF VICTIMS

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, in response to a question from my colleague from Beaver River, the justice minister has supposed a litany of measures which he says respect the rights of victims. What in the world happened with conditional sentencing in Bill C-41 which allows rapists and violent offenders to walk free?

The justice minister admitted in the House last week that he does not want to see rapists walking free, as is now the case. If that is true, will the minister immediately amend the law which allows that to happen? Will he amend it?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member seems to want the

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government to introduce a bill every time a court makes a decision with which he does not agree.

In connection with the B.C. case to which he has referred, as I told the hon. member, that decision is under appeal. Indeed, it is being argued in the B.C. Court of Appeal. Let us wait to see what the Court of Appeal has to say about it.

The hon. member ought not mislead the Canadian public about the effect of Bill C-41 and conditional sentences. He ought to make it clear that the courts have said time and again that conditional sentences are not appropriate for violent crimes.

I refer to the British Columbia decision in *Regina v Bishop O'Connor* involving allegations of sexual assault. The court said it would not be in the public interest to impose a conditional sentence, given the seriousness of the offences and the accused's position of trust and authority vis-à-vis the victims.

In Ontario there is the case of *Regina v B.L.G.* The initials are used because the names cannot be released. The Ontario Court of Justice, general division, was faced with an uncle who had committed indecent assault against two nieces. The court refused a conditional sentence, saying general deterrence and denunciation were more important.

Mr. Justice Kurisko, in *Regina v MacNeil*, again a case of indecent—

The Deputy Speaker: The hon. member for Crowfoot on a supplementary question.

• (1435)

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, what the justice minister is reading is all fine and dandy but the courts are still releasing rapists and violent offenders on conditional sentences.

The justice minister is correct when he points out now, as he did last week, that the case of the convicted rapist in B.C. is under appeal. Until the appeal court comes to a decision, the rapist is still at large, which causes enormous apprehension and fear on the part of his victim.

Will the justice minister amend the law so that future victims of violence do not have to live with the trauma of knowing their assailant is free and can victimize them again?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it is so typical of the hon. member and his colleagues to take the unhappy facts of a single case and to use them to fearmonger, to mislead people into believing that there is a problem where it does not exist.

There are, in this memorandum, particulars of a dozen recent cases in which courts have said that conditional sentences will not be given when there is violence, when society requires deterrence and denunciation.

Let the member continue. He will find that these shallow tactics of fearmongering do not succeed.

* * *

[Translation]

CANADA POST CORPORATION

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, my question is for the Minister of Public Works and Government Services.

On March 20, the minister said in this House, and I quote: “As long as Canada Post serves a public policy purpose then it should not be privatized”. Furthermore, she said she wanted postal service to continue, especially in rural areas. However, the minister's office has stated that a firm of consultants, Valeurs Immobilières TD, has been asked to study the viability of privatizing the Canada Post Corporation.

After retaining only the election serving elements of the Radwanski report, will the minister assure us that Canada Post will not be privatized, regardless of how she fares in the upcoming election?

Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I will repeat what I said last week and what I continue to say: the Canada Post Corporation will not be privatized so long as there is a need for postal service in all of Canada's regions.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, in that case, if the minister really believes what she is saying, I would ask her why a firm is conducting a study on privatizing or on the possibility of privatizing the Canada Post Corporation?

“As long as there is a need”, she says, but people have not stopped writing letters and will need stamps for a long time to come. There is no need to privatize for that.

So, is there something in the wind or is this purely and simply intended to waste public funds, as is the government's practice?

Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.): Mr. Speaker, if you recall, we provided a partial answer when we received Mr. Radwanski's report. At the time, we said we would continue to study his recommendations, because he was not able to get all the figures he wanted either. That is what we did, and we will continue to do our job of ensuring that Canada Post fulfils its mandate without costing taxpayers more.

*Oral Questions**[English]***RIGHTS OF VICTIMS**

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, it is truly unfortunate that the justice minister talks about the unhappy facts of a single case.

I am aware of four recent court decisions in this land. Three are serious sex offences and one is an attempted murder. What is concerning about these cases is that all four accused were given conditional sentences. No time in jail. The justice minister thinks that is okay.

• (1440)

Since the justice minister is responsible for legislating conditional sentences, will he at least put some justice in the system by excluding sex and other violent offences from conditional sentencing?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the conditional sentence provisions that are already in law provide, first, that they are only available where the court decides the sentence should be two years less a day or lower—obviously that is the less serious case—and, second, where the court is satisfied the person does not represent a danger to the community.

There have been some decisions where conditional sentences have been granted where violence has occurred. Many of those have been appealed. Some are now before appeal courts including the case in B.C. to which the hon. member referred last week.

I say to him, as I said to his colleague, let the courts decide. The law is clear. Prison is the appropriate sentence for violent crime. I have said that time and again. We have a system of justice in which judges decide on the facts of all the cases and the appeal courts can correct any error.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I have about 13,000 names on a petition that says the case in British Columbia is more than less serious as the justice minister would call it.

Last week we pursued the justice minister on his lack of interest in enacting victims rights or changing conditional sentence legislation. His futile attempt to protect his poor performance resulted in his quoting from a victims rights group letter.

My question is one of integrity in the office of the justice minister. Did the minister or anyone in his office initiate a request for that letter?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the answer is no. Even if we had, it would not go near the integrity the hon. member pretends to talk about.

The answer is no. It was unsolicited. It came from CAVEAT because, as the letter says on its face, it is evidence and it expresses the view of Priscilla de Villiers that the government has acted appropriately, has introduced significant change, and has shown a willingness to listen and to act.

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*[Translation]***MIGRATION OF SNOW GEESE**

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, my question is for the Minister of the Environment.

Since the government did not answer our question last week, we must come back to the charge concerning the annual migration of snow geese from the United States to the northern regions. This migration is resulting in major losses to the farmers of the Bellechasse region, the Beaupré coast, Ile d'Orléans, and certain other regions of Quebec, such as the Lower St. Lawrence. Last year, for the period from April 22 to May 26, the Canadian Wildlife Service issued permits to allow scaring and shooting so as to limit the damage done to fields by the geese. This measure produced excellent results.

Is the minister willing to instruct the Canadian Wildlife Service to issue immediately, for 1997, permits allowing scaring and shooting?

[English]

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, I thank the member for his question and interest in the whole issue of snow geese.

I had the opportunity of dealing with the provincial Minister of the Environment a few weeks ago at an environmental technology conference. We had an occasion to discuss the issue. I mentioned to him the issue of last spring and that we had a number of recommendations coming from round table discussions on this important issue.

In coming days I hope to have a formal answer for the the provincial government minister and ultimately for the member of Parliament.

[Translation]

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, the point is that time is running out. It is a matter of days before the geese arrive and damage the fields. Permits must be issued as quickly as possible. It is no longer good enough to procrastinate and consult right and left, without actually taking any decision.

What farmers want to know is whether or not the government is going to authorize and issue permits to scare and shoot the geese in the coming days, because it is clear from the minister's answer that the government is in worse shape than the fields are soon going to be.

Oral Questions

[English]

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, certainly that member of Parliament does not have a monopoly on virtue.

I understand the time issue. We also make no apologies for having consulted with Canadians in the province of Quebec from a number of different disciplines.

• (1445)

As I mentioned to the hon. member, in keeping with the timeliness and importance of the issue we will do the right thing in a matter of days.

* * *

YOUTH

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, my question is for the Minister of Intergovernmental Affairs.

Many youth across Canada from coast to coast to coast are worried about the future of their country and are taking initiative by starting unity projects. One initiative is a Toonie for Canada from my riding of Burlington.

Will the minister tell us what he thinks of youth being so committed and involved in their community? The youth are in the gallery today.

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, keeping Canada united is certainly an essential part of the future of our youth. It depends very much on them to carry out this duty. The solution cannot only come from governments.

We have a huge country. It is the second largest country in the world. We have a population that is dispersed from east to west. For obvious reasons the incentive to spend holidays in the south is very high.

Because of the language barrier, the Government of Canada is committed to improving programs to help youth to travel.

[Translation]

And the purpose of all this is to show our young people the wonderful diversity and great solidarity that exist in this country.

Recently we added to our youth exchange programs a Canada student exchange project. We intend to stress these projects in the future because we are convinced that learning to know Canada will make us even more united.

[English]

RIGHTS OF VICTIMS

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, this is all about the integrity of the justice minister and the integrity of the government.

I asked the justice minister a question about who in fact initiated a letter and he indicated it was neither his department nor himself.

I wish to quote from a document from CAVEAT which I received on April 11. It says: "Yesterday the office of the Minister of Justice called CAVEAT offices and asked if we would consider drafting a letter indicating his government had listened to the concerns of victims of crime".

Would the justice minister confirm or deny what I have just read?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, neither I nor anyone at my direction telephoned CAVEAT and asked for any such letter. I am not aware of the document to which the hon. member refers. I will look carefully into the matter. Anything the hon. member says requires that kind of examination. I will examine it and I will answer when I have all the facts.

I am telling the member right now that I did not ask for that letter and I did not ask anybody in the department to do so.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, the justice minister has now indicated that he will look at this to see whether or not he or his department actually sent the letter or initiated the letter.

The fact is that he answered the question originally and said no. The question was: was he or anyone in his department, to which he answered no.

I would like the justice minister either to come forward now in the House and be honest about the answer, or tell the rest of the country just how the Liberal government and its justice minister are open and honest with the people of Canada.

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I suppose it is a measure of how badly hurt the hon. member and his party are by the views of CAVEAT that the hon. member is making this issue.

I answered with the truth. I did not ask for the letter and to my knowledge no one in my department asked for the letter. If the situation is otherwise I will tell the member. I answered with the truth as I always do.

At the member's request we shall find out what he has in his hand. I shall make inquiries. The hon. member has as usual the truth from the Department of Justice.

Oral Questions

[Translation]

MILITARY BASES

Mr. Jean-Marc Jacob (Charlesbourg, BQ): Mr. Speaker, my question is directed to the Prime Minister or his substitute.

The government is apparently incapable of enforcing its principle of the polluter pays. First, it has been unable to make Irving pay back the cost of refloating the *Irving Whale*, and second, it failed to convince the United States that it should pay the full cost of cleaning up the military facilities they occupied on Canadian soil.

Will the Prime Minister confirm that the total cost of cleaning up former U.S. military facilities on Canadian soil may exceed \$500 million, which is well in excess of the agreement for \$100 million just signed with the United States?

• (1450)

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, the figure of \$500 million mentioned by the hon. member was not established by the Government of Canada.

We negotiated with the U.S. government to find out whether it was possible to reach an agreement on cleaning up certain sites.

I may remind the hon. member that the Americans deployed military units in various parts of the country over a period of nearly 40 years. At the time, conditions were vastly different from what they are today, especially with respect to the environment.

I hope the hon. member realizes what happened in other countries where the Americans had military facilities. I suggest the hon. member find out what happened when other countries, including Canada, had to deploy units for 40 or 50 years in certain countries, such as our stint in Europe with NATO.

These are situations we are dealing with now that the environment has become an important factor, but we should also remember what the situation was like when these incidents occurred.

Mr. Jean-Marc Jacob (Charlesbourg, BQ): Mr. Speaker, the figures I mentioned may not have been released by the Canadian government but they are accurate. The agreement with the United States is clearly inadequate.

I wish the Minister of National Defence would tell us which scenario we should expect. Either the government completely decontaminates U.S. military facilities on Canadian soil, in which case Quebec and Canadian taxpayers will bear the cost, or decontamination will be only partial or non-existent, and Quebecers and Canadians will have to live with the environmental damage caused by the American army on Canadian soil.

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I hope the theory advanced by the hon. member is not an indication of his party's attitude to the Americans who came to Canada during the Cold War, not as invaders, but as part of an alliance to defend the interests of North America as a whole.

Canada recognizes its responsibilities regarding the environment. We will do what it is our responsibility to do as far as cleaning up is concerned, and not only in the case of U.S. facilities but also in the case of other sites. As far as the U.S. government is concerned, we have done our best to reach an agreement that is realistic.

I think the hon. member should find out more about this, because it is the only agreement signed by the Americans who, during two world wars and subsequently during the Cold War period and even today, have worked and are working throughout the world to protect the interests of people who want to maintain their freedom. I hope the hon. member understands that.

* * *

[English]

TAXATION

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, the following is from an elderly couple in Prince George:

My ears must be going as on Tuesday, the 18th of February, 1997, I heard—the Minister of Finance, say that this government had not put up taxes. If this is the case I would like you, to ask him, why, after drawing pensions for the past five years, this year I am paying income tax for the first time since I retired. Especially as my wife and I are being paid government supplements which I assume we are getting because they figure we don't have enough money to live on.

In light of this, does the minister still maintain he has not increased taxation?

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, the government has not in any of its budgets increased personal income tax rates.

There is no question that as the economy has recovered there has been growth in revenue partly accounted for by growth in the economy. Surely the member opposite does not believe that is a bad thing.

As a percentage of GDP, which is the way people measure these things, it has remained roughly unchanged over the course of the government.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, that is typical lawyer smart talk which is not selling out in the real world. Seniors are simply the latest victims of bracket creep when income tax basic exemptions are not indexed to inflation.

Oral Questions

Who over there will take responsibility for it? Who is the bracket creep? Why is the Prime Minister intent on pursuing a tax policy that directly targets seniors on fixed incomes?

• (1455)

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, I will not use the word creeps but it is incredible to hear members of the party opposite, which plans to decimate and devastate seniors in its budget, talk about what the government has done.

As the member knows, through seniors benefits, changes to the CPP and all the steps we have carefully taken through our four budgets, we have ensured seniors will have the support and the help they need to count on, those seniors most in need. Those are the facts.

* * *

HEALTH

Mr. Sarkis Assadourian (Don Valley North, Lib.): Mr. Speaker, my question is for the Minister of Health.

Considering the many changes necessary to improve Canada's blood supply system, could the minister assure the House that the need for accountability and transparency in the blood supply system will be met under the new system endorsed by the provincial ministers of health?

Hon. David Dingwall (Minister of Health, Lib.): Mr. Speaker, I thank the hon. member for his question.

For the last year I have been working very closely with ministers of health across the country. We came together just over a year ago and agreed to create a new national blood authority.

Work is continuing with regard to the details and all the aspects as they relate to the new authority. In the meantime ministers of health are anxiously awaiting the decision of Justice Krever, in particular his comments with regard to the whole system of blood governance. As soon as we receive this information from Justice Krever we will be able to proceed quite expeditiously.

To be very specific to the question of the hon. member, yes, accountability and transparency will be first and foremost as they relate to the new national blood authority.

* * *

TAXATION

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, this tax season hundreds of constituents are writing letters to us about the taxation they are facing. For these people high taxes have not just become an inconvenience. High taxes are making it impossible for many people to make ends meet.

With people from coast to coast suffering real hardship because of the government's destructive tax policy, why was the Prime Minister saying during his Kodak tour that everything is just fine, nobody is suffering back in Canada and things are great? Is he really that out of touch, or is he simply hiding his government's tax record?

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, at this time of year everyone is focused on taxes. The hon. member is right. It is tax season.

Canadians understand the taxes they have been paying support a number of things that are extremely important to them.

The government has taken extraordinary actions in each of its budgets to close loopholes, to make the system fairer and to respond to the concerns of Canadians. We all look forward to the day when that burden can be reduced. When that day comes we will do that. We are getting the fiscal house in order. Canadians know and understand that.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, seniors earning under \$20,000 a year are asked to pay over \$1,000 in their income tax bills. Young families are having difficulty making their mortgage payments. Meanwhile the heritage minister has a cocktail party which cost \$65,000 for one party, according to the access to information request I have.

The minister is buying caviar with the money of seniors and single parent families. How could the minister justify an expense for caviar while Canadians are suffering?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, I do not eat caviar and I certainly would not be paying for a reception of caviar.

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[Translation]

GOVERNMENT CONTRACTS

Mr. Gilbert Fillion (Chicoutimi, BQ): Mr. Speaker, my question is for the Minister of Public Works and Government Services.

Last week, all of the members of the Standing Committee on Government Operations, including those from the Liberal majority, vigorously spoke out against the fact that federal departments were awarding close to 40 per cent of contracts without calling for tenders. The committee members reached that conclusion after close to two years' study of the federal tendering process.

• (1500)

How does the minister explain that, after three and a half years, her government has been unable to obtain compliance with the

government's policies and directives, and has allowed \$3.2 billion worth of contracts to be awarded annually without any tendering?

Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.): Mr. Speaker, we are still working on making the contract system more open. We will continue to make changes to our tendering system. Of course, in certain situations, we have no choice but to purchase from the one company that can supply us.

Some hon. members: Oh, oh.

Ms. Marleau: We will soon have a new tendering system called MERX. We have worked in conjunction with the provinces, including Quebec, to ensure that all companies in Canada have access to the bidding system with both the federal and the provincial governments.

The Deputy Speaker: Dear colleagues, that was the last question.

* * *

[English]

PRESENCE IN THE GALLERY

The Deputy Speaker: I wish to draw to the attention of members the presence in our gallery of the Hon. Hevhen Marchuk, Deputy of the Supreme Council and former Prime Minister of Ukraine.

Some hon. members: Hear, hear.

* * *

[Translation]

CREDIT CARD INTEREST LIMITATION ACT

Mr. Pierre de Savoye (Portneuf, BQ) moved for leave to introduce Bill C-402, an act to provide for the limitation of interest rates in relation to credit cards issued by financial institutions, companies engaged in retail trade and petroleum companies.

He said: Mr. Speaker, I would remind you that, on numerous occasions, the hon. members of this House have proposed, along the lines of this bill I am introducing today, that there be limits set on the interest rates that major companies, banks and petroleum companies can charge on the credit cards they issue for the convenience of cardholders.

This bill is in the same vein. You will recall that I had made a commitment to my colleagues and to the public to introduce such a bill if the banks did not bring their interest rates down to a more acceptable and reasonable level. I have now done so.

(Motion deemed adopted, bill read the first time and printed.)

Oral Questions

[English]

CRIMINAL CODE

Mr. Randy White (Fraser Valley West, Ref.) moved for leave to introduce Bill C-403, an act to amend the Criminal Code (prohibiting certain offenders from changing their name).

• (1505)

He said: Mr. Speaker, a victim of a terrible crime, Rosemary Eaton of Windsor, Ontario, provided me the motivation to forge ahead with this bill. Since my initial contact with Rosie, I have learned that many serious offenders are changing their names in prison under provincial law, getting out and under a new name they are able to begin another life of crime without our knowing it.

Somewhere, somehow, we must get the government to understand that those in prison should not have the same rights as those outside. In this case, the safety of Canadians is at stake.

This bill would apply when an offender is convicted of first or second degree murder or sexual assault. These offenders would not be able to change their names for life or for another period determined by the court. Every person bound by this prohibition order would be guilty of an indictable offence should they not comply.

(Motions deemed adopted, bill read the first time and printed.)

* * *

PETITIONS

BILL C-17

Mr. Andy Scott (Fredericton—York-Sunbury, Lib.): Mr. Speaker, pursuant to Standing Order 36, I have the honour to present a petition.

It brings to the attention of the House that Bill C-17 adds a clause to the Criminal Code which allows police to seek a warrant to take a bodily imprint, even if the suspect refuses. Specifically, the bill authorizes a court to grant permission to police to obtain handprints, fingerprints, footprints, teeth impressions or any other print or impression of the body.

The petition, signed by approximately 1,000 residents of my constituency, calls on Parliament to enact Bill C-17 so that the police may obtain teeth impressions from a suspect in a new trial.

VIOLENT OFFENDERS

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, I rise today to present a petition signed by 870 people in my riding of Red Deer.

Parliament's recent amendments to the Criminal Code in response to the Daviault and Seaboyer cases, as well as amendments to deal with stalking and harassing conduct, reflect public policy

Oral Questions

underlying the law which requires males to take responsibility for their violent behaviour toward women.

Therefore, the petitioners request that Parliament review and change relevant provisions of the Criminal Code to ensure that men take responsibility for their violent behaviour. I support the request which is made by the petitioners.

[Translation]

CREDIT CARDS

Mr. Gilbert Fillion (Chicoutimi, BQ): Mr. Speaker, pursuant to Standing Order 36, I am pleased to table a petition on behalf of the residents of the riding of Chicoutimi on the prime rate charged by banking institutions, which is currently at 4.5 per cent. These same institutions charge some 18 per cent on their credit cards, while department stores have charged some 28 per cent on their credit cards, since 1981.

The residents of the riding of Chicoutimi call on the Government of Canada to legislate as quickly as possible and establish standards on the rates of interest applicable to credit cards issued by banks and major department stores.

[English]

VIOLENT OFFENDERS

Hon. Audrey McLaughlin (Yukon, NDP): Mr. Speaker, I have the honour to present over 300 petitions from the province of Alberta which add to about 10,000 petitions received on this subject from across Canada.

The petitioners are looking for amendments to the Criminal Code which would ensure that men take responsibility for their violent behaviour toward women.

This is a major issue across Canada. The petitioners call on Parliament to deal seriously with the issue.

PUBLIC SAFETY OFFICERS

Mr. Harold Culbert (Carleton—Charlotte, Lib.): Mr. Speaker, we are always saddened when a firefighter or a police officer loses his life in the line of duty.

I have a petition to present which calls on Parliament to establish a fund, known as the public safety officers compensation fund, for the benefit of families of public safety officers killed in the line of duty.

VIOLENT OFFENDERS

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I am submitting a petition which has in excess of 13,000 names of people from all over Canada expressing outrage that a rapist in my riding has served no jail time.

• (1510)

It says: "We the undersigned citizens of Canada draw the attention of the House to the following: That on November 12, 1996 in British Columbia, the Hon. Judge Harry Boyle sentenced Darren Adam Ursel to two years less a day to be served in the community under section 742 of the Criminal Code. Mr. Ursel was convicted of a very violent sexual assault.

"Therefore, your petitioners request that Parliament exempt all physical and sexual offenders from the provisions of section 742 of the Criminal Code".

Miss Gertie Pool and all citizens of the Fraser Valley are to be commended for the courage of their convictions.

TAXATION

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, I have a number of petitions that were collected over the last few weeks.

The first petition was submitted by residents of Blue River, Avola, Birch Island, Vavenby, Darfield, Little Fort and Clearwater and has to do with the GST.

The petitioners point out that although it was a promise in the last election campaign to abolish the GST, the GST still remains. It is taking a lot of money out of people's pockets and they want the government to reconsider proceeding with the GST, whether it is harmonized or not.

Mr. Speaker, another petition, primarily from the residents of Kamloops, points out the problems with the GST as it applies to reading and the literacy levels in Canada.

The petitioners ask Parliament to zero rate books, magazines and newspapers under the GST. They ask provincial and federal governments to zero rate reading materials under the proposed harmonized sales tax.

The petitioners point out that a tax on reading is something that should be avoided.

GASOLINE PRICES

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, I have a petition on another issue. The residents are from Black Pool, Vinsulla, Aspen Park, Lewis Creek, East Barriere Lake, Barriere Black Pines and Red Lake.

The petitioners point out concern about the high cost of gasoline, propane and diesel fuel and are suggesting that the federal government consider regulating these fuels as a utility because of the importance they play in transportation costs and, therefore, the cost of living for all Canadians.

HIGHWAYS

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, this petition is on another issue. It is submitted by residents primarily of the South Thompson valley between Chase and Kamloops.

The petitioners point out the need for a national highway system program to upgrade highways throughout Canada and for more of

the federal excise tax on gasoline be allocated to improving Canada's highway system.

The petition recognizes that Canada, being the second largest country geographically in the world that transportation costs are crucial to the cost of living.

LOAN GUARANTEES FOR NUCLEAR REACTORS

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, this petition is on another matter.

The petitioners are concerned about the fact that the government is providing loan guarantees in excess of a billion dollars to China in order to sell reactors. They feel Canada should not even be trading with a country where the human rights are so abysmal and certainly should not be using taxpayers' money to finance the sale of reactors to countries like communist China.

HIGHWAYS

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, pursuant to Standing Order 36, it is my duty and honour to rise in the House to present two petitions duly certified by the clerk of petitions on behalf of 92 individuals residing across Canada.

The petitioners call on Parliament to urge the federal government to join with provincial governments to make the upgrading of the national highway system possible.

NUCLEAR WEAPONS

Mr. Bill Graham (Rosedale, Lib.): Mr. Speaker, I am pleased to present a petition with signatures gathered from across Canada. It requests members of Parliament to support the immediate initiation and conclusion by the year 2000 of an international convention which will set out a binding timetable for the abolition of all nuclear weapons.

* * *

[Translation]

COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, I seek the unanimous consent of the House to revert to presenting reports so I can table the sixth report of the Standing Committee on Public Accounts.

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

Mr. Guimond: As chairman of the Standing Committee on Public Accounts, I have the honour to table the sixth report of this committee.

Government Orders

• (1515)

It is a report in which the committee considered chapter 26 of the report of the Auditor General of Canada tabled in November 1996, entitled "Canada Infrastructure Works Program: Lessons Learned".

I draw the attention of this House to two recommendations in the report. As we know, the auditor general noted that the agreements did not set out specific requirements for carrying out timely compliance audits. Quebec is fairly advanced in this area and a compliance audit system has been set up for a sampling of projects.

Our committee therefore recommends that the officials responsible for the Canada infrastructure works program draw on Quebec's experience and negotiate agreements with their partners to set up a compliance audit system. They should also ensure that the quality and scope of the compliance audits satisfy the requirements of the federal government on the terms of the program.

The second and final recommendation is as follows. Our committee realizes that the calculation of the additional investment based on a minimum threshold represents a significant change in the terms of the agreements. It does not therefore consider this should be included in the negotiations under way to extend the program. On the other hand, the committee recommends that this element be taken into serious consideration in any similar infrastructure program the government may want to establish in the future.

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

* * *

[English]

QUESTIONS ON THE ORDER PAPER

Mr. Francis G. LeBlanc (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, on behalf of the parliamentary secretary to the government House leader, I ask that all questions be allowed to stand.

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-27, an act to amend the Criminal Code (child prostitution, child sex tourism, criminal harassment and female genital mutilation) be read the third time and passed.

Government Orders

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, before question period I was expressing my concerns over the practice of female genital mutilation.

I know that in Somalia and other countries the practice meets religious standards or preserves a sense of identity to their communities or it is done to preserve virginity and family honour. I think it is time that countries, including Canada, step in and protect these children from being assaulted and abused in the name of culturally acceptable practices.

The UN has been asked to put a stop to child labour and child abuse. It is therefore absolutely imperative for the UN to put a stop to this most savage abuse of children.

I urge the Government of Canada to take the lead on this issue by initiating talks with those countries which would be supportive of UN action in this regard.

It is clear that Canada should first address that kind of situation in this country and urge other countries to address the problem there. We must take every measure possible to protect children in this country and throughout the world.

I am therefore fully supportive of the section of Bill C-27 which makes it an offence for a Canadian citizen to obtain paid sexual services from children abroad or to engage in activities associated with child prostitution when they are out of the country. Of course I object strenuously to that kind of thing occurring in this country as well.

I would, however, be remiss if I did not question the effectiveness of this Canadian measure in eliminating child prostitution throughout the world. While it may bring Canadian citizens to justice in very limited cases, it will not stop citizens of other countries from engaging in sexual relations with children.

The Canadian Bar Association as well as a number of Canadian lawyers, including University of Toronto law professor Alan Mewett, criminal lawyer Douglas Usher and Windsor based criminal lawyer Michael Gordner, have all said that although Bill C-27 is an admirable statement of principle, it would be nearly impossible to enforce. That is my greatest concern about this bill. It sounds good, it looks good, but is it going to be enforceable?

• (1520)

I agree with these lawyers that it will be nearly impossible to enforce this portion of Bill C-27. The justice minister and his government must recognize this fact. One can therefore surmise that the Liberals have imposed this law in an attempt to create the impression that they are doing something about the sexual exploitation of children. I think it is a false pretence.

Alan Young, a criminal law professor at Osgoode Hall, said: "We have seen this before with Parliament enacting a law with little teeth. It has shown a good intent but it is just not an enforceable law. Think about it. How could it be? How are Canadian authorities going to become informed about these infractions? Any extraterritorial law is going to be fraught with political infractions and be near impossible to enforce. Look at what has happened with the war crimes prosecution. Ten years after the fact and there still has not been a conviction. It is embarrassing".

Canada is the 12th country to criminalize child sexual abuses committed by citizens overseas. Last summer representatives to the world congress against the commercial sexual exploitation of children urged governments to levy strong criminal sanctions such as those proposed by Canada in Bill C-37. Governments were also urged to promote strong co-operation between states and societies to prevent children from entering the sex trade and to mobilize nations around the world to help countries eliminate the sexual exploitation of children.

This action is absolutely imperative and in its absence Canada will do little if anything to eradicate child sex tourism. I would like to point out that the greatest culprits of child sex are not tourists or foreigners, particularly in countries such as Thailand where 95 per cent of child prostitution customers are domestic inhabitants. Foreign pedophiles account for a very small percentage.

What countries such as Thailand need to do is rigorously enforce their laws. Currently this is not being done. Perhaps to be more effective in combating the sexual exploitation of children, Canada could provide police training to countries such as Thailand to make it easier to catch and punish domestic sex offenders within their own country.

However, I firmly believe that before the federal government concentrates any more efforts abroad it should deal with the growing problem of child prostitution and child pornography in this country. It should establish a child sex registry, something Reform has been urging since 1993. I also suggest the government support local police efforts to inform people when a pedophile is released into their community.

It is unfortunate that the Liberal dominated justice committee did not support my colleague from Surrey—White Rock—South Langley in her attempt to have child sex offenders deemed dangerous offenders and thus detained until being evaluated as no longer being a threat by at least two psychiatrists.

I support the portion of Bill C-27 that imposes a mandatory minimum sentence of five years imprisonment for persons found guilty of profiting from juvenile prostitution. I have some concerns regarding the effectiveness of imposing only a five year minimum sentence. Pimping is a serious offence and as such should carry a severe penalty.

Government Orders

Under section 212(4) of the Criminal Code obtaining the sexual service of a person under the age of 18 is an indictable offence and liable to imprisonment for a term not exceeding five years. Bill C-27 alters this section of the code by adding that it is an offence to obtain sexual services of persons believed to be under the age of 18 years. I have great difficulty with this portion of the bill. The justice minister is asking the crown to prove what a person may or may not have believed at a specific moment. How can this be done?

Is this another law that looks good but cannot be enforced? Is this simply another dumb law? Is it another stupid law like Bill C-41, which allows convicted rapists to walk free? Is this another example of the kind of legislation that comes out of an ivory tower but cannot be properly and adequately enforced by our justice system? How can you prove something is believed, that someone believed or did not believe something? How can people's thoughts be on trial when it is impossible to establish those thoughts?

• (1525)

This is precisely what the justice minister plans on doing under this section of the bill. Witnesses dealt with this particular portion of the bill and expressed concerns about the ability of the justice system to enforce it. They dealt with what the purpose of this was, to allow the police to use undercover operatives in sting operations; in other words, a woman peace officer poses as a prostitute and when she is approached by a john she says she is under 18.

As was pointed out in testimony and by others I have spoken to outside the committee room, how is a conviction going to be registered when the accused only has to say "she may have said that she was under 18 but it was obvious to me that she was older". Here we have a situation where the accused can say he thought she was older. In fact she would be older because the police would not be using anyone under the age of 18 in a sting operation.

How are we going to enforce this part of the bill? It looks good, it sounds good but how are we going to use it? Is it a practical law? I say it is not.

The sex trade in this country is a booming industry in which children are a hot commodity. Child sex consumers demand young flesh, and violent parasites, the pimps, happily supply that demand. This is an absolutely deplorable situation. The demand for child prostitutes will not go away as long as child sex consumers know their risk of arrest is minimal and if caught the penalty is only a maximum of five years.

According to the B.C. attorney general's office only eight B.C. men have been charged for buying sex from a juvenile since 1988. My goodness, that is close to nine years and less than one conviction a year. What is happening in that province? Why is that the case?

By contrast, 215 pimping charges were laid between 1988 and 1993. Sexually exploited children deserve protection in the Criminal Code with all other children who are victims of sexual predators. Whether they are sexually abused on the street instead of in their homes or schools, the penalty should be the same.

All children, especially those who are products of abusive and dysfunctional families who have forced them to retreat to the streets where they are further abused, deserve equal protection under the law.

We have today child molesters, people who have had sex with children, who are walking free because of conditional sentencing. Here we have an example of the government doing something with its left hand and exactly the opposite with its right. It is passing a bill that pretends to get tough on those who would sexually abuse a child or who would have sex with a child under the age of 18. Yet it passes laws that allow those people to walk the street after conviction, to walk free. What kind of a government is this? How do we make sense of this kind of a bill? How do we make sense of the overall legislative agenda of this government? It is impossible to do so.

When we ask the justice minister to do something about Bill C-41 and the conditional sentencing we heard what he said today and all of last week, that he is not prepared to move. He is not prepared to protect the children and the women who are abused and raped. These individuals are now walking the street free. It is confusing and it is unbelievable that the justice minister would bring in laws that conflict directly with other pieces of legislation that he puts forward designed to protect members of society and to protect victims of crime.

• (1530)

If we ever hope to reduce and eventually eliminate juvenile prostitution, we must address the reasons why children are turning to the streets where they are vulnerable to abuse and exploitation.

Despite the justice minister's admission in the fall of 1995 that he had no money for crime prevention, preventive crime measures must be implemented, particularly in relation to juvenile prostitution and young offenders. Those children who turn to the streets and a life of crime must be given an alternate safe haven where they are given some hope and assistance to have a positive and productive future.

The government now says, after 30 years of overtaxing and overspending, having borrowed \$600 billion, and having increased taxes to the point where 50 cents of every dollar that a person earns goes to one of the three levels of government, that we have child poverty where one child in every five lives in poverty. It says that the root cause, at least in some cases, of poverty is that the families are becoming dysfunctional and the children are going to the streets and entering the prostitution racket.

Government Orders

The policies of the government have led to that. When the government takes 50 cents of every dollar out of the pocket of every wage earner and the people who create the wealth in this country, what can be expected other than poverty? From poverty flows some of these very negative aspects such as child prostitution. The government's own policies are coming home to roost. It is now trying to fight it with laws that have such holes in them they are unenforceable in some areas.

Finally, I would like to briefly touch on the section of Bill C-27 regarding harassment. We are all aware of the growing problem of domestic violence and the need for the section on criminal harassment that is outlined in the bill. We need more legislation and more preventive measures in relation to domestic violence, including providing the police with more power to investigate and prosecute people who abuse their spouses. What we do not need is a law that allows rapists to walk free after they have been convicted. What kind of a message does that send?

Bill C-27 has some good aspects but it is completely destroyed by the way the courts are using conditional sentencing granted by this justice minister who will not move to remedy that.

Bill C-17 deals with taking care of children, dealing with domestic abuse, rapes, assaults and so on, yet too many cases where violent offenders against women and children are walking free. What kind of a message is that to send to the people? It is a confusing message and an unbelievable message that this country could bungle this in the way it has.

If the justice minister thinks that Bill C-27 and his gun registration legislation are the only measures needed to combat domestic violence he is wrong. Firearms registration will not eliminate or decrease this form of violence. This fact was evident in the recent shooting death of 10 members of a Vernon, B.C. family by an estranged and distraught spouse. Not only did the police in that case not follow a 1993 government policy to investigate cases of domestic violence, including those cases where there is no co-operation by the victim, they issued a gun permit to a person who had allegations of violence and abuse launched against him.

I would like to quote an article in the *Globe and Mail* dated April 10, 1996 which stated: "The mass killing of 10 people last weekend in Vernon, B.C. has revealed fatal flaws and everyday limitations to Canada's much vaunted gun control laws. The two handguns used by Mark Chalal in the killings were acquired legally because there were not enough police officers, enough public funding and enough political pressure to pursue telltale doubts that he might have been dangerous".

That says it all about the vaunted gun control bill that somehow is going to make firearms safer simply because they are registered. Of course the government has never been able to explain to us or

offer any evidence at all on how the registering of a rifle or shotgun is going to reduce the criminal use of firearms. However, we plough on spending hundreds of millions of dollars in order to do so while at the same time creating laws that allow rapists and violent offenders to walk free.

• (1535)

I reiterate my opening statement. We support this bill, although we have some reservation about its effectiveness in eliminating juvenile prostitution, domestic violence and female genital mutilation. I would be remiss if I did not briefly refer to what took place on Monday outside these chambers. The mother and grandmother of murdered teen Sylvain Leduc gathered supporters on the steps of Parliament Hill to protest the Liberal government's lax treatment of young offenders and to protest the justice minister's refusal to listen to the people of Canada and implement effective measures to combat youth crime.

It is no secret that for over a year I have publicly questioned the commitment of the justice minister and the Liberal dominated standing committee to effectively change the 13-year-old Young Offenders Act.

As this session of Parliament quickly comes to an end with the threat of a spring election, my earlier observations and scepticism unfortunately I think will be validated. It is indeed unfortunate that the government has failed during its three and a half year mandate to improve public safety and to do anything to make victims rights a priority.

I would like to commend my colleague from Fraser Valley West for his tremendous efforts in the area of victims rights. It was the Reform member's initiative and tenacity which forced a reluctant justice minister to have my colleague's victims bill of rights reviewed in committee. It was shocking and disgusting to hear him in question period today where he suggested that we do not really need a victims bill of rights because the guiding principles are already in the Criminal Code and other areas to guide the courts, the crown prosecutors, defence counsel and the police. It is just amazing the contradictions that we hear from the government.

We all know the minister's back is against the wall on this issue. We all know this is nothing more than a futile attempt to deflect criticism for a disastrous bungling of victim's right to be heard. He apparently embraced the bill of rights concept and yet today seems to have put a kibosh on it. It is very confusing when the justice minister moves in fits and starts.

In Bill C-41 the minister granted victims the automatic right to make victim impact statements. Victims rejoiced in this victory. However, the victims later were shocked to learn what the minister giveth the minister taketh away. In Bill C-45 the minister betrayed victims. He stole from them their hard won victory. He denied them their unconditional right to provide impact statements and in doing

so, he added to a misery they have endured since their children were so brutally ripped from their lives.

What happened? We had to piggy back an amendment to Bill C-45 on to Bill C-17 that passed last week in order to rectify the mistake. It was just another bungled job by the Department of Justice, led by the justice minister. That amendment had to be brought in with the unanimous consent of the House in order to reinstate what the victims had fought so hard and achieved in Bill C-41, which was their automatic right without the consent of the judge to make an impact statement at hearings.

Let us look at some of the areas under the jurisdiction of the justice minister, such as section 745 of the Criminal Code. That section allows first degree murderers, after 15 years, to apply for early parole. Not only that, they are allowed to take their victims through the horror and the terror and the pain one more time after 15 years.

Do the families of victims not deserve a degree of peace? When will they be able to put the horror behind them? It has not died away after 15 years and after 15 years it is harrowed up again. Not only that, if the applicant is unsuccessful he can apply again, and again and again, depending on what the jury or the judge has to say. They do not have another period of 15 years. They could be looking at the same kind of situation, having to appear and make an impact statement to keep the murderers of their children from walking the streets, in two years, three years, four years or five years. On and on it will go. Surely these victims have a right to a degree of peace of mind. That is being denied them by the justice minister and his department. It is not right and it is not fair.

• (1540)

The emphasis by Liberal governments over the last three decades has been not on the victims and the protection of society, but on the offenders. The whole idea and philosophy is an attempt to rehabilitate the offenders.

There is something to consider about these conditional releases that are now occurring. What is a fair and just penalty for the rapist who is walking free in B.C.? Even if there was a guarantee that he would never offend again, what is a fair and just penalty for the horrible act which that single mother had to endure for an hour and a half? I ask the justice minister and I ask the parliamentary secretary to the justice minister: What is a fair and just penalty? Is it to walk free? That is what is happening.

We pass laws in this place which tell the courts what to do, and yet the justice minister will not amend the bill to tell the courts that they must not use conditional sentencing for those kinds of horrible, heinous crimes.

Government Orders

We have been pounding away at the justice minister, making his life miserable over the last week because we are supposed to stand on guard for the interests of the people of Canada. If we do not, who will stand on guard for the victims? The justice minister? Ask the victims of the violent offenders who are now walking free because of his law.

We are only asking him to make an amendment which would exempt violent offenders not only from conditional sentencing, but also from the alternative measures contained in Bill C-41. Under alternative measures, violent offenders may never see the inside of a courtroom. They will do community service if they admit their offence. A Liberal backbencher said during this debate that under alternative measures he could see where a rapist might never see the inside of a courtroom. That does not make sense. That is not the purpose for conditional sentencing or alternative measures.

There are justifiable circumstances for conditional sentencing and there is a role for alternative measures in our justice system, but not when it comes to allowing violent offenders to walk free, such as Mr. Ursel in B.C. That is not what it was meant for.

We have expressed our concerns and our fears. In fact we moved an amendment to Bill C-41 in committee which asked that alternative measures be restricted to non-violent offences. That amendment was killed by the Liberals on the committee.

We do not yet know the consequences of alternative measures, but we surely know the consequences of conditional sentencing. Why do we not change that?

• (1545)

Why will the government not simply say the courts are using the law for a purpose that it did not intend? As the justice minister said last week and again today, people convicted of rape should go to jail. However his law is allowing the courts to set these people free. Why does he not simply change it? Why can we not come together in this place and act in the best interests of society? Why do we not consider the plight of these victims? Why do we not consider that single mom whose life has been ruined while she wrestles with the terrible trauma she went through and her assailant walks free?

How did the judge come down on the side of the offender and not on the side of the victim and the safety of society? He did it with the tools granted him by the House through the justice minister and the government. It is called conditional sentencing. It was contained in Bill C-41, about which we expressed very grave concerns, and nothing was done about it. Now our worst fears have become the victims nightmares.

We are asking the government to change. Why will it not change? How many more victims must be subjected to conditional sentencing while their assailants walk free and they cower in the homes afraid to leave? How many more times must this happen?

Government Orders

Shall we ask the justice minister formally and informally to make this simple change?

We will support Bill C-27, as we have supported bills passed through the House which we thought were in the best interests of society. We have many reservations about certain aspects of the bill, but it goes in the right direction and we will support it.

We ask the minister to bring in an amendment that would deny violent offenders access to conditional sentencing and remove the tools from the courts when they use them improperly. He should change the law. The support would be in our caucus and I am sure throughout the House. Who can stand in this place and say that they support Mr. Ursel walking free after what he did to that young single mom? No one.

We will support the bill regardless of our reservations about it. As the bill hits the road and we see how it is applied that we hope the justice minister, if it needs amendment, will bring it forward. We wish he would do that with Bill C-41 and he has not. I cannot for the life of me understand why.

We will be bringing to the attention of the House case after case after case where the tools granted to the courts have been used improperly and violent offenders have been allowed to walk free.

Rest assured, we will take this message across the country in the coming election unless the justice minister has the forethought, the wisdom and common sense to bring forward a simple amendment that will deny the courts the tool they are using in an improper way.

I see my time has run out. The Reform Party caucus will support the government's measure and initiative in Bill C-27.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, once again I rise in the house to speak to yet another piece of criminal justice legislation from the government.

People across the country should pay a great deal of heed to the words of my hon. colleague from Crowfoot, who happens to be one of the more knowledgeable people in the country on legislative matters. They should also pay heed to what members on this side of the House have to say.

I have heard a great deal in the House about victims rights, conditional sentencing and a lot of issues that matter to people across the country. I grow increasingly concerned that the government is addressing the issues either in a very small, half hearted manner or not addressing them at all. As we get closer to the election—some say it is as early as two weeks away—I find it greatly disturbing that the government all of a sudden throws a bunch of legislation on the table, knowing full well it will not become law.

• (1550)

It is probably one of the worst signs of misinforming people. Government members say what they will do, table it and ask people to vote for them, but they will not get it anyway. That is probably the height of deceit, quite frankly, in Canada.

I have heard it all this week and last week as I asked and asked and asked questions of the justice minister. I heard statements regarding the victims bill of rights, that the government has done a lot for victims.

The minister has no idea of what we are talking about in victims rights. Victims rights are not an amendment to the Criminal Code. It is meant to be a guiding light for the Criminal Code.

We do not want amendments to section 745 that cover an isolated part of early release. We want something that overrides and says that victims can have the right to victim impact statements at any time, regardless of what article of the Criminal Code applies. That is what we are asking for. For them to say that they have helped victims by an amendment they made to section 742 is not what this is all about.

It is important that those listening in Ontario understand what we are saying. We need the assistance of the people in Ontario, Atlantic Canada and Quebec to make sure the government gets the very clear message that it has failed to represent the people in the 35th Parliament.

As I travel through Atlantic Canada I know the feelings of the people there. They are concerned. It is time for decisions to be made in these parts of the country. They will take one step forward and say that traditional governments have not accomplished what we want them to accomplish.

It is 1997 and we have a bigger crime problem than we have ever had. This group in government will say that is not the case, but it certainly is the case. It is 1997 and nothing has been done about the unity issue. They are still munching on their MP pensions like there is no tomorrow. This party has declined to do so. It is time to truly look beyond the status quo and take charge by putting the people in power. This is what it is all about.

I asked some questions today relative to conditional sentences. I was alarmed to hear the justice minister suggest that the situation in my riding with Darren Ursel was a less serious situation. I assure the House and all Canadians watching today that this is anything but less serious. I tabled in the House 13,000 names on a petition showing that they are concerned.

I do not want to go through those details any more. Suffice it to say a terrible sexual offence has occurred and the perpetrator of the crime did not serve one day in jail. The judge said that he was tender at times, that he was sorry for what he did and that it was his first conviction.

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Folks who are watching should think how they would feel about what occurred in that court room if it was their daughter or wife. How would they feel if they complained about it to the justice minister and he said it was a less serious crime?

• (1555)

I have talked in the House about that situation. The justice minister said that amendments had been made to conditional sentences. The fact is that he is not making the simple amendment everybody is looking for. He should exclude serious offenders from conditional sentences. He says that it is in a court of appeal. Who cares?

Today I had in my hands three cases of sex offenders who were getting conditional sentences. I do not believe two of them are being appealed. The justice minister should not stand and try to give us hogwash that conditional sentences are okay and will be fixed up some time. They are not okay.

My hon. friend from Crowfoot says he will count on the court of appeal. The court of appeal only deals with one case. I had three in my hand today. It is getting frustrating.

People in the rest of Canada where there are no elected Reform MPs should consider what is going on here. It is very terrible. This Ursel character should have done time in jail. If that were my daughter or my wife who was treated the way this lady was treated, I do not know what I would do in this land where there is supposed to be justice. The victim is wondering where the justice system is. She tells me that she does not think the justice minister cares about her. Quite frankly I do not think he does either. If he had one hoot of care for the lady he would change the system. It is too bad we live in a country run by a Liberal government that is seriously deficient in matters of criminal justice.

All last week my colleagues and I asked questions in the House. The justice minister suggested that we were exploiting people. That came very close to slander, but let us let the man do what he thinks he should do. We were sticking up for the rights of victims. If there is any exploitation, it is the minister getting a letter from a victims rights group and waltzing into the House trying to justify his actions over the last three years and saying that group was happy to send it to him on that basis. I do not believe that to be true. We will pursue that a little more this week.

What are we to do? We have conditional sentences now. It is a heck of a mess. We have victims rights that have gone nowhere. Three weeks before the election call the government finds it in its heart to do something about victims rights, only to be able to go out during the election campaign and ask: "Guess who we are for?" That is what this other party from Jurassic Park has done.

Mr. Kirkby: Do you mean the Reform Party?

Mr. White (Fraser Valley West): The hon. Liberal suggests that is the Reform Party, but I tell this member to just wait. All he has to do is wait for another 40-some days and we will see about that.

Let us consider someone committing an offence related to child prostitution. I find it difficult to believe that a bill like C-27 would deal with pimps of people under 18. I would have thought that the government would be concerned with pimps, period. The fact is that I do not understand why it plays these kinds of games. Is not a pimp a pimp? Is it not abusing and taking advantage of women? If one is a child who becomes 18, is it all of a sudden okay to be the pimp of that person? What is wrong with these people?

• (1600)

One of the things that has to be done is set a minimum 10-year sentence for those living off the avails of child prostitution. What is wrong with that? It is time to start getting serious about the customers of child prostitutes. Those are the kinds of things that matter out on the streets, not the rhetoric we get in this place, not bills that are thrown before us seven or eight days before an election writ is dropped, when the whole country knows that the government is not serious about implementation. In fact, it is an insult to the intelligence of Canadians to be dropping this stuff in the House, knowing full well that it will do nothing about it.

Just how does the government think we felt last week sitting in the justice committee trying to convince a group why victims rights are so important, knowing full well the government was not going to do a darn thing about it? Talk about insulting.

Last April 29, 1996 the justice minister stood up in the House and said: "Yes, we have to deliver on this. We have to develop legislation. Let us get it right to the justice committee". He told me that he was going to do something about it in the fall agenda. What happened? Nothing. I talked to him in the fall session and he said that he was going to do something in the winter session. Did he? No.

When did he do something about victims rights? Eight or nine days before an election he decides we should look at it. The insult.

However, that does not bode well for these folks across the way. Some of those in the Vancouver area have already been criticized for doing nothing in the 35th Parliament. I do not expect to see them back.

Ontario is not void of its criminal justice problems nor is Halifax, Atlantic Canada or Saint John, New Brunswick. This is not isolated. I talked to a lady from New Brunswick just yesterday about some of the problems she has had and the fact that her rights seem to be much inferior to the rights of the criminal. She has all but given up. I told her to hold in there and we will see if we can get it changed.

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I debated and debated across the country issues like victims having the right to be informed of their rights. The justice minister stands up and says he will look after it. However, if he cannot look after it he says it is a provincial issue.

I talk about individuals having the right to be able to provide unrestricted victim impact statements, for instance, at parole board hearings and judicial reviews. The justice minister stands up and says the government did something on that, he thinks.

• (1605)

Two weeks ago I was in a Vancouver courtroom listening to the parents of the victims of Clifford Olson begging for the right to submit victim impact statements and this clown is on a speaker from his prison cell saying: "If you give them the right to do that I'm going to cross-examine them".

How can the justice minister stand up and say "We did something for victims" and yet victims do not have the right, no matter what is the issue, to submit victim impact statements? I could go on with a litany of the problems with issues like plea bargaining. I have seen it. I have been there. I have gone through it.

People think that when someone is charged and the court case will be for first degree murder, they end up bargaining for assault or manslaughter which carries a much lower sentence. All victims are asking for is the right to know whether or not a plea bargain is being considered before it is given to the defence. That is not too much to ask. It is not too much to ask of people, of this government, to make sure that victims are not harassed and intimidated.

I have been involved in several. One notable case was where the parents were told in a letter from the perpetrator, which he wrote from his prison cell, the last words of their son. Not only did he tell them their son's last words but he described in detail how he killed him. Do they not have the right to have this prevented? Do not victims have the right to know the status of an offender? They are not asking to keep him in any longer necessarily. They just want to know where he is, when is he getting out, what are the terms and conditions of his getting out and how long will it be before he gets out? Is that too much to ask the government?

I cannot wait for this election. Folks in Ontario and Atlantic Canada who are listening to this should understand what is at stake here. We have lost a justice system and are into a legal industry and it must change. It will not change with this government. Some day this government will fall. That time is very near. It can come out with its polls and tell all us little folks how badly we are doing and it can tell us how we must vote. It can tell us that some parties are going to come back. This country will not go backward to the

future. We are going ahead with an agenda that we will implement. In this country victims rights will become a reality.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, as always my colleague for Fraser Valley West put his case for victims most eloquently. Sadly the message continues to be ignored by the Liberal government and the Liberal justice minister. Hopefully that will change at some point in the future. If not it will change when the government is changed.

I want to draw to the attention of the House what I feel is the hypocrisy of the stand of the Liberal government when I look at the infamous red book that was circulated—not widely I will admit—during the 1993 election. There were only several thousand copies available. Although it was not widely available, it is often quoted by Liberals. What they do not want quoted is some of the commitments that they clearly have not lived up to.

• (1610)

I refer to page 84 of the Liberal red book under the grand title "Safe home, safe streets". It states: "Dealing with the growing incidence of violent crime will be a priority for a Liberal government. Every person has a right to personal security and a Liberal government will move to protect this right".

On page 85 it states: "Several flaws in our correction system have recently been exposed by high profile cases. Under a Liberal government sex offenders who are not rehabilitated at the end of their sentences could be transferred by court order to secure mental health facilities for further detention". These were fine words immediately before and during the election campaign.

In light of the commitments that were clearly made in the red book before and during the 1993 election campaign, how does the hon. member for Fraser Valley West see how that sits with what has happened subsequently with Bill C-41, conditional sentencing and the fact that rapists are allowed to walk free without serving a day in jail.

When the Liberals refer in their document to the fact that they were going to introduce legislation because of "recently exposed high profile cases," why, when Reformers refer to high profile cases are we admonished and ridiculed every time we raise them? Canadians are crying out for justice. They are asking because of these high profile cases that the justice minister take action and bring in legislation to prevent the abuses of our now inconsequential justice system. The justice minister says that we are simply picking, choosing and using these high profile cases to make our point.

Is it not about time that somebody made a point? These abuses are going on. Even in the Liberal's red book they refer to high profile cases. That was the reasoning behind their wanting to bring forward legislation. I would suggest they have done a terrible job.

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They should be thrown out of office for their lack of attention to victims and keeping sexual offenders locked up.

Mr. White (Fraser Valley West): Mr. Speaker, that was a good question.

I can understand why my hon. colleague from Prince George—Peace River is so vociferous when it comes to talking about these issues. In small towns—the hon. member has a number in his riding—he does not escape either. He has the same problems in those small towns as I do in my city or west of us, as Vancouver does.

These are not isolated incidents that the Liberal government says we are talking about. This is not taking advantage of people. This is not rhetoric. This is not all of those things that those clowns over there say that we talk about. These are serious on the street problems.

I could stand here and give a litany of cases that the fellow over there does not even know about. He does not care anyway, so why tell him.

• (1615)

Crime is a serious problem in this country. My colleague is right. Of all the problems we have in this country, very little has been done to reconcile and correct crime.

I feel ashamed when I sit with victims who pour their hearts out to the government and tell it why they want to have rights and a minister says “we gave you rights”. If they were given rights why are victims rights groups across the country expanding exponentially? The government has not fixed the problem.

When we bring up these cases government members say it is exploitation. That is a lot of hogwash. It is a very serious situation. It is just as bad in Halifax as it is in Vancouver, Windsor or Saskatoon.

An hon. member: Then they go after the law-abiding gun owners.

Mr. White (Fraser Valley West): That is a good point. What is the answer to crime in Canada? A gun bill. We are going to tax hunters, farmers and gun club owners. What is wrong with the common sense here?

Shortly after the gun bill was proclaimed five people were shot in my riding in one night. What has the government resolved? These guys did not leave registration numbers on the street. The guns were not even registered.

It is no wonder people are frustrated. People are being killed by guns. Government members say that the gun law will fix it because the guns will be registered. There is not a criminal in this country who will register his gun, you fools. Wake up. This is serious stuff.

When five people in one night get blown away, my constituents are incensed by answers like the gun law. It does not make sense.

I listened in a courtroom two weeks ago when a defence lawyer said that the reason we need conditional sentences is the prisons are too full. They let a rapist walk. Another defence lawyer said that being locked up at home and not being able to go out at night is just as bad as being in prison. What kind of people are in the legal industry? What is wrong with the mentality?

Pretty soon we will have to put victims on parole boards. Then we will see some logic. We will have to appoint victims to other boards, including deportation and refugee boards, of which I have attended many hearings.

Some day people will run this country and not the tired traditionalists who come to Ottawa, fall into the party lines and do what they are told. That is what the next election will be all about.

For the people listening to the debate today, there is only one choice. Forget the polls these guys mastermind and pay for. Forget the rhetoric. Remember who stands for what in this country.

• (1620)

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I would like to congratulate my colleague from Fraser Valley West for his usual eloquent defence of the rights of Canadians to live in peace and without fear to walk down their streets without being affected by criminals.

It has been a great disappointment to me to see what has been going on in the House over the last three weeks, as my colleagues from Crowfoot, Fraser Valley West and Prince George—Peace River fought very hard day in and day out to bring to the House the real plight of Canadians.

It is not an illusion that Canadians from coast to coast are increasingly fearful for their safety as time passes. It is remarkable that as time passes Canadians are not feeling more secure on their streets or in their homes. They are feeling less secure because they have less confidence in the judicial system to protect them from criminals.

That is unfortunate. If there is one basic right we should have in this country it is to live without fear and in peace. Unfortunately that is not occurring.

The statistics show that youth crime is increasing dramatically. Adult criminal activity is going down. However, the statistics do not demonstrate the reality.

Police officers say that quite a large number of Canadians are not going to the police to report their claims. In my constituency office over the weekend the windows were smashed. The police said they would register the complaint but they would not come around. They do not have the time. They have other things to deal with, like paperwork. Our police officers are inundated with paperwork,

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restrictions and constraints that the current judicial system has placed on their jobs. Police officers from coast to coast have their hands tied. They are equally upset by what is taking place.

The fault of the justice system does not fall at their feet. The fault of the justice system falls at the feet of members of the House. The House does not do justice to our police officers, the courts, the legal profession in order that there is prompt, fair, compassionate justice to be meted out to individuals who go afoul of the law. The government has done nothing to institute sensible measures of prevention of criminal activities.

I used to work in jails. A few years ago I dealt with a couple of 13-year old prostitutes who were in a youth jail, both of whom were going to be released to the same terrible abusive situation that they had lived in their entire lives. They told me they would go back to prostitution because they had no other choice.

It is a shame that we do have a system that would enable those children to get out of that situation and to live in an environment of peace and security, rather than going back to the same family environment which was full of abuse, violence and drugs.

I told those two young girls that if they continued on that course they would die before their 18th birthday. Within 16 months I encountered those two girls again. I saw the name of one of those girls in the obituary column, a murdered prostitute. The other girl had a stroke because she was mainlining cocaine and had become a human vegetable, irreparably damaged. What a tragedy for those vibrant young girls who could have become functional members of society and lived in peace and security rather than suffering this terrible tragedy; one dead, one irreversibly brain damaged. What a tragedy.

● (1625)

The system does not provide for these people. I had a 15-year old young man stand in front of me in the same jail two years ago and say: "Please, Dr. Martin, do not let me go out because if I go out into the situation I was in before, I will be forced to engage in the same criminal activity for my survival". It is profoundly tragic that we do not have a system to address this.

There has been a lot of very good work done in Canada. I brought to the attention of the justice minister constructive solutions.

Dr. James Mustard in Toronto and his superb group there put forth constructive solutions dealing with early childhood education and ways we can put forward measures to identify children and families at risk, ways we can put forth measures in schools right from kindergarten to identify these kids and help them and their families to develop environments that are free of violence so that those children have the elements of security and love they need in order to survive.

The government likes to bring forth the theory that child poverty is the cause for this. Members need not look any further than the large numbers of immigrants who have come to this country with not a penny in their pockets. They have worked at one, two or three jobs and have provided for their children and themselves basic security at home with love and an opportunity to go to school to develop skills they require.

These children did not have very much in terms of monetary attributes but they did have security. They had love and supportive parents, the most important factors in enabling children to go on to becoming functional, productive and sometimes affluent members of society.

When the statistics are compared looking at the success of immigrant children and non-immigrant children, it will be found that immigrant children do better than non-immigrant children even when the differences in economics are factored in.

It is important that the government look at that and ask why it is so. That is why our party has put forward plans to help strengthen families, to provide families with ways in which they would have more money in their pockets and more time to provide a caring, stable environment that children need as an essential part of their growing up in order for them to become functional members of society.

The government, in the way that we have looked at things over the last 20 years, has totally ignored this perhaps most important investment we can make in our society, the investment we make in our children.

Getting back to more specifics of Bill C-27, the government is dealing with a number of other issues with respect to international child prostitution. We could not agree with that more.

There are sex tours that enable individuals to go from all over the world to places like Thailand where they can engage in sexual activities with under aged children. That is illegal and it should be illegal.

Furthermore, I challenge the Minister of Justice to work with the Minister of Foreign Affairs and their counterparts in other parts of the world together to develop an international scheme to address this very important issue.

They could do this through the United Nations and through all the other groups of which we are members. This would show Canada in a leadership role on how to address this very important issue.

I was looking at some of the statistics not so long ago. Very few individuals who go to these countries and engage in sexual activities with under aged children are ever brought to the attention of the justice system.

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Very few of them are arrested and very little happens to them. This must stop because it is preying on those people who are most vulnerable in societies, generally speaking the very poor.

The committee on sustainable human development put forward a superb document just about two months ago on child labour. An offshoot of child labour was child prostitution. In that document was a number of very important, very productive measures that the government could take in order to address child labour and hence child prostitution.

• (1630)

This is not rocket science. Some solutions are there from members across the country. Members of both houses contributed to it. Senator Landon Pearson is very knowledgeable on the issue. She put forth some very important interventions.

I challenge the government to bring effective legislation to the House, as we in the Reform Party requested, to address this important international issue. It is sitting on the minister's desk. He should use it.

In 1982-83 the Liberal government of the day decided to make a change in the mindset of the justice department. It said that from then on it would not focus on the rights of innocent civilians but on the rights of criminals. That was to be the primary focus of the justice department.

Canadians do not want that. It is fundamentally wrong for Canadians to believe that the justice department will hold the rights of the criminal ahead of the rights of the innocent, ahead of the protection of innocent civilians.

Contrary to Liberal government members, we in the Reform Party feel the most important functions of the justice department is to uphold the rights of innocent civilians and to protect them. It is absolutely critical for the justice department to have teeth. It should be an overarching rule and thrust of the justice department.

That is why members such as the members for Fraser Valley West and Crowfoot have been raising horrendous examples day in and day out in the House. It is not because we want to shock anybody. It is not because we want to take advantage. The only way we can possibly get the attention of the government is to hit it with hard facts, to hit it with the most egregious examples of what takes place in society and and is being completely ignored.

If the government had been instituting ideas to strengthen the justice department perhaps people who committed rape would not be set free. A pedophile in my riding committed over 1,000 assaults on little boys. Perhaps that person would not have the right to move into the neighbourhood of one of his victims. Let us imagine what is going on in the minds of the family of victims who know full well that the person who abused their family members will be

moving in next door. That cannot and should not happen. It should never happen.

People who commit these sexual acts have a problem. Balancing that fact with the right of innocent people to live in peace and without abuse, it is quite obvious it is most important for Canadians to live without the threat of being assaulting, raping them or someone trying to kill them.

There are examples from coast to coast of it happening. It is a great disappointment that in the last 3.5 years very little has been done on the issue.

We have spoken of other important matters. My colleague from Fraser Valley West introduced a victims bill of rights. The Canadian public should ask the government why it stonewalled the bill. Why has the government not allowed the bill? It only called for victims to have some rights in court. Why is there not an established set of rights in court? Why has the government wilfully chosen to stonewall the bill in committee? It had a choice to allow it to go through with input from all sides of the House but it chose not to. Why did it do this? It was for partisan reasons.

We are looking at a government that has chosen partisanship over the safety and rights of Canadians. The Canadian public must clearly ask itself very clearly if it wants a government that will put its own political future over the safety of Canadians.

The government would have a large amount of Canadian public support if it would lead by example, by demonstrating and elucidating a vision for the country, by expressing a vision for the country, by explaining it to the people and by saying that we should work together toward that end. Instead the government follows a course of opinion polls and focus groups. That is what is ruling the country. It is not leadership. It is political expediency. The government would get many more votes if it would express a firm, definitive vision of the country and lead the country in that direction rather than play games. I fail to understand why it has not done so.

• (1635)

In closing, if we are to break the cycle of crime, punishment and incarceration, it will not come from the justice system. It will not come from the courts. By addressing the rights of children we will break the cycle. Families sometimes beget individuals who then become adults who then beget children who unfortunately run afoul of the law.

It is true that there are criminals in every sector of society, every socio-economic group. Many children are being born into families full of abuse and neglect. If we think about it, it is impossible for them to develop the pillars of a normal psyche to enable them to become integrated members of society, individuals who have compassion, sympathy and empathy. Some of these children do

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not have the pillars we take for granted. It is absolutely essential for them to learn them.

The Minister of Justice should work with his provincial counterparts in education, justice and human resources and development. Then they could develop a cohesive plan across the country for kids to learn their ABCs in school, as well as sympathy, empathy, appropriate conflict resolution and the dangers of drugs and alcohol. All these issues have to be learned.

This has been done in some areas of the United States. They bring the parents into the school system very early on so they understand the concepts of sympathy, empathy, appropriate conflict resolutions, the dangers of drugs and how to interact with their children in a supportive fashion.

This is the most important, cost effective and humane method to break the cycle of crime, punishment and incarceration. I hope the government listens and takes the suggestions of my colleagues in the Reform Party over the last 3.5 years. If it were to institute some of these measures Canada would be a safer place.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I listened intently to my colleague's comments in reference to the bill, specifically to the children and how many of them have been affected by crime and abuse in society. I have to agree with him. I thought his statements were very appropriate.

As a police officer for 20-some years I came across many heart-wrenching situations that impacted directly on families and children. We want to deal with the perpetrators, the ones who abuse. We want to hit them hard, to tell them it is inappropriate behaviour and to get the point across. The way the courts have shifted over the years, they really do not impact in that way. They do not strike the abuser as he should be struck by being put in his place.

• (1640)

In one section a new offence will be created under subparagraph (2.1). It is called aggravated procuring and is applicable to:

every person who lives wholly or in part on the avails of prostitution of another person under the age of 18 years, and who

(a) for the purposes of profit, aids, abets, counsels or compels the person—to engage in or carry on prostitution with any person or generally, and

(b) uses, threatens to use or attempts to use violence, intimidation—in relation to the person—

It goes beyond the regular section of procuring. It deals with a child or a person under the age of 18. Attached to it is a mandatory minimum term of five years in prison to a maximum of 14 years, which is above the Criminal Code provisions at the present time.

For all intents and purposes it is good that the abuser of children will be hit with a minimum sentence.

A charter argument of cruel and unusual punishment comes into play. It has been used time and time again. It has been brought forward frequently under other pieces of legislation. Some pieces of legislation have been struck from the record even though the intent on the part of the government was to move it through and certainly make it sound good. That has happened.

Would the member for Esquimalt—Juan de Fuca like to comment on the fact that the provision is for a minimum mandatory sentence of five years? Does he believe it would be a suitable case for a charter argument to have this provision struck from the record as being cruel and unusual?

Mr. Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I congratulate my colleague from Calgary Northeast. He has repeatedly brought his police expertise before the House over the last 3.5 years. He has made many eloquent speeches and instructive suggestions to strengthen the justice department. No doubt his constituents in Calgary Northeast will re-elect him in the coming election for all the hard work he has done in the justice area.

He raised the issue of the charter being used to subvert what Canadians would commonly embrace as justice. He referred to what some charter experts might say, that it is cruel and unusual punishment to put a pimp jail for five years who is assaulting and abusing a minor in the worst possible.

Most members in the House and I would argue that it is cruel and unusual punishment for an adult to abuse minors and force them into a life of sexual abuse, prostitution, violence and often drug abuse.

I neglected to mention another aspect of the bill. It repeatedly refers to the concern of the government in the area of violence against women and children. Everybody would agree with that. However men suffer from violence too. It is a huge disservice to half the people in Canada to exclude men from the purpose of the bill.

People suffer violence. It does not matter if it is a man or woman. A victim is a victim. There has been a strong movement in the justice department and in many aspects of legislation in Parliament that tends to focus on women to the exclusion of men. That will not bring the genders together. It will separate them.

• (1645)

It is important that we start talking about our laws in a gender blind fashion. To exclude women is wrong. To exclude men is equally wrong. I ask that the government have gender blind rules and regulations and not focus on one gender over another.

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[Translation]

The Deputy Speaker: It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Mackenzie—Transport.

[English]

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I want to address this bill in a different fashion. We have been talking a lot about criminal justice matters over the last few days and there is going to be more on the plate of this Parliament as the justice minister tries to push through other bills. I understand there are two in the line of succession. There is an anti-gang coming forward. What shape that is going to take is anybody's guess.

I want to talk to the moms and dads for a while, and specifically those moms and dads who have perhaps had their daughters, young ladies, run away from home and fall into the clutches of an unsavoury procurer, a pimp in common language on the street.

It is a heart wrenching thing to see some of these young girls who have run away and have come into the grasp of these leeches who hang around waiting for these unsuspecting young people. They are there ready to take hold of them and actually in a very few short months after these young people have run away turn them on to something they never dreamed would be possible for them to be doing.

I can relate to a situation some years back in my police career where one such criminal was so intrusive into the lives of some of these young people and had pushed so many of them out on to the street into prostitution that we had to form a special unit to deal with him. He and his henchmen were solely set on grabbing these young runaways and putting them on the street and they had done so in great numbers.

How would this criminal go about doing that and have young people willingly prostituting themselves on the street? How would he go about doing that? I do not believe the majority of politicians even understand what happens to a young lady who has run away from home, somebody's daughter, and falls into the clutches of these criminals. I do not believe that most politicians understand. In fact I do not believe that a lot of people really understand what happens.

I am going to tell the story because it happens all too frequently. I think it needs harsh treatment for those who abuse.

In any event, this guy who was the overseer of all these thugs on the street was also a cocaine dealer. Of course his intent was to have the prostitutes out there. He wanted to control his band of girls. Some as young as 12 to 13 years old were under his so-called guidance. He would have his henchmen prowling the streets at night.

It was pretty common knowledge where the runaways would go if they left home. Some of them got away unscathed but many of them fell into the clutches of these characters.

• (1650)

They would grab the girls. These thugs would treat them very well at first. They would pay attention to them. They would buy them gifts. They would show that they cared in some fashion. It was all very superficial of course because there was an underlying reason for doing these things.

Then they would start the girls on a bit of cocaine at a party. They would pay lots of attention to them over two, three or four days. There were some things the girls wanted from mom and dad and they felt that their needs could be met by these characters. Little did they know what was in store for them.

As time went on the cocaine amounts would increase. Then, when a dependency on the substance took hold, it was time for Mr. Big to say "you owe me now, I am going to put you on the street and you are going to be one of my girls". The young ladies were prepared for the street by being gang raped for two or three days. They were kept in confinement.

This brings to mind another revision to the Criminal Code which was made by the justice minister that lessened sentences concerning confinement.

The young girls would be put out on the street with their cocaine habit. The thugs were relentless in digging up whoever they could. The runaways were a prime target. There was an endless supply.

It was difficult for the police to pinpoint the abusers and it was difficult for the courts to convict. Seldom did they get the evidence required unless the girls were willing to testify in court. However, intimidation by the pimps was so great that many of them were afraid to testify.

After a period of time of being abused sexually they had such low self-esteem that they did not really care about a lot of things. The procurers and the pimps remained, for the most part, untouched.

I can remember one project in which we tried to nail one guy. We never did get him on prostitution. We got him on drugs but not on prostitution because that evidence was not forthcoming. The destruction that was brought about by his actions left an indelible mark on a lot of lives. It is up to the law to offer some protection to the witnesses who come forward.

That is the ugly side of life. It is there. I do not think it should be totally hidden to parliamentarians. I certainly do not think it should be hidden to the general public. I believe that the general public would not find the actions of any pimp to be acceptable.

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I do not know about all the information that was before the committee and the justice minister when this bill was drafted. However, I assume they must have taken into account some very devious criminals when they suggested a mandatory minimum sentence of five years imprisonment. I think it is still going to be a very hard one to prove. But the questions do come up about this type of legislation. It will no doubt be challenged.

• (1655)

I have read some of the outline reference to this provision and it is almost anticipated by the justice minister and the department that the matter will be challenged under section 12 of the Canadian Charter of Rights and Freedoms.

I think there has to be some sort of test. If the public in general finds this unacceptable, I think that is the test, not what the courts say. Some code charges and criminal offences are certainly higher in the minds of the public than others, and this is one that is sometimes hidden and secluded. But it is there. It is real and it is still very detrimental because it does cost society a lot when it comes to paying for rehabilitation of the victim. Those who are caught up in this terrible whirlwind of events of prostitution and drugs have to go through a terrible amount of rehabilitation.

The provisions of the Criminal Code as outlined in Bill C-27 I agree with. I think there should be minimum mandatory sentences. I believe that is quite positive. I am certainly prepared to support those in every way that I can.

A second point that I found very interesting is the whole area of harassment or stalking. In 1991 an Ontario study found that 61 per cent of women who were murdered in the province between 1974 and 1990 had been killed by intimate male partners, whether current or estranged, and that 75 per cent of these had taken place in the victim's home.

The minister through Bill C-27 desires to make stalking which results in a death a first degree murder charge. I agree with that. I believe for the most part it is a first degree murder charge. One would have to prove the whole stalking event.

Here is where I have a bit of a problem. The legislation sounds very good, quite positive. Overall it sounds like something I would draft. However, look at the results of the 745 applications. From the time of the first application until mid-1995 I believe there were 46 applications from first degree murderers for early release, and 11 applicants who had their sentences reduced murdered women, their wives, girlfriends or women they knew.

I have to come back to the legislation. Sure, it sounds wonderful but let us look at the statistics of release under section 745 and the

true story will be heard. Of the 46 applicants, 8 murdered policemen and three murdered children. So 14 out of the 46 murdered women and children, charged with first degree murder, applied for early release and had their sentences reduced.

It is okay to come out with what sounds like a good piece of legislation which is supportive of women and children in the country.

• (1700)

When people look at the statistics on release and how the government views those who commit such violent acts, we have to ask ourselves why they should be let out earlier. When we talk about those who have taken the lives of their partners, we are talking mostly of men committing acts of violence against women.

I am pleased to see good, sound legislation come in. However, it is like all the other bills we have had. Bill C-45 tinkers with section 745 on early release. One bill steps on the violent offender and the other undoes everything the first bill stated.

I have major questions about how a government can act in that fashion. Looking at the broader picture, it is somewhat deceitful. The whole picture is not seen before looking at everything.

A third part of this bill deals with female genital mutilation. It is good to see provisions dealing with that offence. In some countries it is commonly practised. In Canada it is not acceptable. I agree with that aspect of Bill C-27.

I am encouraged by one bill, which does not sound very good. However, one bill coming from the government actually deals precisely with these offences. There are no provisions that weaken the bill although I pointed out section 745, which is in another bill and in another part of the Criminal Code.

In that respect, we support the bill and look forward to debating the next one.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I have a question for my hon. colleague from Calgary.

When he was elected, he was an acting police officer. My concern about this bill—we are supporting the bill—is that we are creating the impression that it will do something about the child sex tours to other countries and that, through this legislation, we will create a penalty for a pedophile who goes to another country and has sex with children.

My concern is in the area of enforcement and establishing a prima facie case. I want my hon. friend to address his thoughts to this. He, in his former career, as I did a number of years ago, had to put cases together. We needed evidence that gave us reasonable and

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probable grounds to believe that an offence had been committed. Based on that, we were allowed to lay an information, a charge. In addition, we needed evidence to support the charge, evidence that, under normal circumstances, would bring about a conviction by the court. He would need a well established case based on solid evidence.

• (1705)

Does he share my concern about the government passing legislation to allow for the successful prosecution of Canadians who travel to another country, commit what would be an offence in Canada over there and come back here? What are the chances of a successful prosecution? What resources would be required in order to establish a successful prosecution? Would the child who was involved in the sex act have to appear and give testimony? If so, how difficult would it be not only to gain the consent of the child but also to bring her here? Does he see anything in the bill where the child would not have to appear here? Is there written testimony, an affidavit that could be sworn that could be admissible in court? He may not want to touch on some of these areas but I have great concern that part of the bill will be unenforceable.

Mr. Hanger: Mr. Speaker, I thank the member for his question which addresses a portion of the bill that will be very difficult to enforce. I cannot see how the testimony of any individual living outside the country can be brought forward in any form. We have no jurisdiction in other lands. My colleague from Esquimalt—Juan de Fuca mentioned Thailand as being one place where this kind of trade exists. It will be very difficult to enforce any kind of Canadian law or to compel witnesses who live outside the country to attend and testify in a Canadian court of law.

There may be other ways to address this issue. Perhaps we could focus on the tour guides who arrange for such tours into other nations. We could crack down on the marketing side of it here. Again, evidence will be difficult to accumulate and the proof would still lie at the other end of the trip to really establish that something did in fact happen. That part of the bill will be difficult to address.

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, I know the member for Calgary Northeast is quite interested in sentencing, in amendments to the Criminal Code that involve sentencing and in having the punishment fit the crime. We have some problems in that area.

Is it the lawmaker's fault? Is it the politician's fault? Is it our fault here in this Chamber that we do not tell judges what the punishment should be? Do we give judges too much leeway in applying a sentence to a particular crime? We often read stories the paper that make us shake our heads. We wonder why the judge gave such a light sentence for an apparently horrendous crime. The public is upset with that.

What is the cure for that? Is it a justice minister who would bring amendments to the Criminal Code to narrow the punishment and be

more specific? For example, should there be minimum sentencing for certain things?

Then there is the idea of living out the sentence. I have never understood section 745, the faint hope clause. If you are guilty of premeditated murder, you will be sentenced to life. You have the right to appeal your sentence after 25 years and then you are given a second right of appeal after 15 years. It seems like we are tinkering instead of getting more specific and narrowing the range. Could the member comment on that.

Mr. Hanger: Mr. Speaker, I thank the member for his question. One area of debate has been neglected in Parliament: the selection of judges, the judiciary and how judges are appointed.

• (1710)

For too long the input from the average person into our criminal law has been shut out. There has not been consultation. Most of the laws and changes to the law that have come about in the various bills have been as a result of a very narrow focus on the part of the justice minister and this government.

For too long people have been sitting back, as have parliamentarians, and letting it happen. From what I can tell, they have not had a debate on some of these issues for some years. If they have I do not know when it was because we sure did not see it reported anywhere.

First we have to again look at the judges that have been selected to date. Many of them appear to have a certain philosophical point of view that is much in keeping with the legislation that is coming from the government. We are going to have to put a different selection process in there for the judiciary. Anyone who abuses a position, like offering a conditional sentence for a proven rape, should be fired. There should be some way to fire a judge. That is not something that happens very often. We are really going to have to examine the whole selection process and put some checks and balances into the whole process.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, one thing that I have been surprised at is the issue of the age of sexual consent. This bill deals with prostitution and young prostitutes. The age of sexual consent is not commonly known to many Canadians as being 14 years of age.

I would be quite interested for the member, who has broad experience in police matters, to make a comment on the age of sexual consent and whether he thinks it is appropriate at age 14.

Mr. Hanger: Mr. Speaker, I certainly do not think it is appropriate at age 14. In fact I believe that the age should be kicked back up to 16 for sure but even as high as under 18 years of age. I have seen time and time again violations of young women by much older men. Because the age limit is so low right now, this whole

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argument of consent comes into play. Some horrible offences take place even with young women as early as 15 or 16 years old and their perpetrators walk free because of the age of consent aspect in sexual matters.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, it is a pleasure for me to rise today and add my comments and perspectives on Bill C-27, another justice bill, another act to amend the Criminal Code.

I want to state very clearly at the outset that Reform is supporting this bill. The reason why I want to state that so clearly is because it seems that often we are accused of opposing everything that the government does.

If people will take the time before and during the next election campaign to do their research and to see what we have said and the positions we have taken on legislation that has passed through the House over the past three and half years, they will find, quite surprisingly, that we have supported a lot of government legislation, but not without concerns. We have been very vocal, as I feel that we should be, with our concerns as we try to represent our constituents on important legislation that comes before the House.

We are supporting Bill C-27. As has been indicated by a number of my colleagues, the members for Crowfoot, Calgary Northeast and Esquimalt—Juan de Fuca when they spoke to this bill, it really covers off several issues in one bill even though the bill is quite succinct. It is only about eight pages and contains only eight clauses. First, this bill adds an additional offence, that if someone lives on the avails of a person under the age of 18 and uses, threatens to use or attempts to use violence, intimidation or coercion to effect that aim, the individual is subject to a minimum punishment of five years.

• (1715)

We have heard a number of Reform speakers raise the concern that has been expressed on both sides of the House about the possibility of a charter challenge. In particular the member for Esquimalt—Juan de Fuca very clearly stated that Canadians have to understand what we are talking about here. We are talking about pimping. We are talking about pimps. We are talking about the lowest form of human degenerates I believe on the face of the earth who would use children in this manner.

If there is ever a case that could be made to push the envelope of a charter challenge I believe very strongly that pimps would be it. They are disgusting individuals who would use other people in a manner like that and manipulate them. It is high time we come down very strongly on the side of morality and this issue and send a message to these people that their acts of manipulating, using and abusing children are not to be tolerated in society.

We are very strongly in favour of that clause. If it comes to a charter challenge, so be it. Let us face that obstacle when we come to it.

Another clause in the bill deals with female genital mutilation. The proposed legislation would protect those under the age of 18 in that it does not allow for consent to mutilation, even where the child actually consents to that type of operation. That is not good enough. The Reform Party has been very outspoken on this issue in the 35th Parliament. We support that as well.

Another area that the bill deals with is the whole issue of child sex tourism. Some of my colleagues have spoken on the difficulties it presents in international relationships and trying to work those types of things through international diplomacy and working with other countries to ensure there is some standard globally when it comes to those who would prey on children and use them in an improper manner.

The other issue in this bill is it amends the classification of murder. If in the course of a criminal harassment, stalking, death occurs then the offence is deemed to be first degree murder regardless of a planned or deliberate intent on the part of the assailant. This is an interesting clause. It is certainly one, as we have with so many justice bills, that we support on the face of it.

I would raise an issue that has been bothering me on many justice issues. The government is going to hold up this clause in the upcoming election and say "We have come down strong on the side of women who are being stalked. We are going to get tough. If a woman is stalked and murdered from now on that is going to be first degree murder". Interestingly, what are we talking about here?

We are talking about 15 years. That is all we are talking about for someone who deliberately stalks a woman and terrorizes her, in some cases for years and years. She knows this individual is out there. There is not a day or a night in her life that she is not very aware of that, living in fear day to day, night by night. Finally that stalker commits murder.

What is this government saying? It is going to automatically convict that person, if found guilty, of first degree murder. This government will not bring about the abolition of section 745. This government is going to point to this and say "We have come down tough. We are getting tough on crime. We are coming down on the side of those who are being stalked in society". In reality it is talking about 15 years for someone who does something like that.

• (1720)

Is that going to provide deterrence? I think not. Is that going to or should it satisfy those women out there, the hundreds if not thousands, who are being stalked as we are carrying on this debate today? I know there are a number in my riding. I have met these

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women face to face and I have heard their pleas for help. I am sure all members have if they are doing their job. Is this the best we can come up with to assist those women? It is pathetic. It is disgusting. This is saying that if they happen to get murdered then we are going to convict their assailant, their stalker, of first degree murder and it is 15 years.

This is not good enough for me. It is certainly not good enough for Reformers and we will be reminding this government and its candidates every chance we get during the next election campaign. Where is their commitment to women?

Where is their commitment to women when it comes to section 745 and Bill C-41, conditional sentencing? Where is their heart when these women are crying out for some justice? Clearly those cries are falling on deaf ears when it comes to this government. We have raised this issue of conditional sentencing time and time again during question period, in speeches and presentations in this place, and the hon. justice minister sits over there and ridicules and admonishes Reformers for even raising the issue. He mocks and scorns us. He says how dare the Reformers bring up these cases and these issues.

The real message is going to get out. I hope it is getting out. I have met with groups in my riding, as I am sure all Reformers have and hopefully all members have regardless of their partisan affiliation. They have met with groups who are concerned about criminal justice or the lack of it. In meeting with those groups I have had to tell them that I agree with everything they say as they present case after case where people are not held accountable, whether it is young offenders or people who are stalking women or people who are preying on the most vulnerable members of our society, or pedophiles, these disgusting degenerates who are preying on our children.

I have sat there and felt their pain and I felt defenceless. What could I do? What could I do as an individual member of Parliament but carry their message to this place and try as hard as I can to get this justice minister and his bunch of bleeding heart Liberals to understand what is happening out there in the real world. That is what Reform is all about. That is what Reform is trying to do, carry that message to this place where we are ridiculed, mocked and scorned. I say shame on the justice minister.

I want to ask Canadians as we head down the campaign trail in this next election to take the time to really understand what has happened in this place on justice issues in the last three years.

• (1725)

On one side we have the justice minister saying that he has done so much for the victims of crime and that he has brought in all of

these laws to get tough with criminals. We do not believe it. A lot of people have told us they do not believe it.

I am appealing to the people who will be casting a ballot in the next election to understand what has happened over the past three years. What have those laws done and what have they failed to do? The very future of our society depends on how we handle this issue.

I would ask those people to look at the private members' bills which Reform members of Parliament have taken the time to draft and introduce in the House of Commons. I have been a member of Parliament for only three and a half years. Three times I have drafted and introduced legislation which would reinstate capital punishment so that people like Clifford Olson and Paul Bernardo would never have an opportunity to reoffend or torment their victims. We would not be debating whether someone like Clifford Olson could revictimize the families of the victims in court August 18 because Clifford Olson would not be breathing. He would not be a problem. That is where I stand on the issue.

Consistently about 70 per cent of Canadians when polled say they support the reinstatement of capital punishment for cold blooded, first degree murder, and yet the government refuses to act. It refuses to hold a referendum on capital punishment, as suggested by the Reform Party, or the second best thing, a free vote in the House of Commons so that MPs could truly represent the wishes of the majority of their constituents. That is too much to ask.

I ask the people as we head down the campaign trail to take a look at what Reform members have drafted and introduced by way of private members' bills. We have done everything procedurally possible to draw to the attention of the government the wishes and the will of the Canadian people on justice issues as well as on many other issues.

Many Reformers are strong supporters of consecutive sentencing as opposed to concurrent sentencing. We would not have to worry about section 745 for an animal like Olson if he got a life sentence, even the scaled down version of life sentence which the Liberals support. Multiply 15 years by the 11 victims which he has claimed credit for and there would not be a problem. He would never get out if we had consecutive sentencing like they have in some of the states.

There are lots of things that we can do if we want to get tough on crime. None of them is being done by the justice minister and the Liberal government.

The people living in the real world are doing everything they can. We in this House are failing them. There are organizations such as Rural Crime Watch, Crime Stoppers, Block Parents, Neighbourhood Watch and the victims groups, many of which have recently been formed. They are trying to raise the voice which is crying out for justice across the country.

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The people of Canada are doing everything they can. They are looking for new avenues all the time to try and bring about justice.

• (1730)

I know in my home town of Fort St. John the people have formed a community justice group which is looking at other means of sentencing, primarily for young offenders, which is built on the native model of circle sentencing. They are having some good initial success with misdemeanours and minor crimes. They are trying to help kids to get off this criminal track. The people are reaching out and trying everything. They are willing to give of their time, their energies and their resources to do whatever they can think of to make their communities safer.

They are forming these organizations but this place is failing them. They tell me when I meet with them, as I am sure when other MPs meet with groups and individuals, that what is lacking is deterrence and accountability.

Consequences and accountability are things that we took for granted when I was growing up, but are lacking in the system because of Liberal-Tory laws that have been passed. Precedents have been set in the courts over the last while. The people are crying out for justice. They are willing to do whatever they can to assist. But some responsibility has to fall to the legislators. We have to do our bit also, and the government is not doing that.

I ask the people that before they cast their ballot in the next election to very carefully consider that. I ask them to do their homework before they mark their x. If they do that, I am sure they will not be supporting the government's weak-kneed, bleeding heart approach to criminal justice.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I want to thank my hon. colleague for his address on Bill C-27.

We have discussed a number of issues related to crime over the last two or three weeks and we are going to be addressing more. We have some difficulty with possible charter challenges in some areas of legislation. The hon. member for Esquimalt—Juan de Fuca mentioned this in his address on Bill C-27.

We had this type of discussion when we touched on Bill C-45. We wanted the complete elimination of section 745 of the Criminal Code which allowed first degree murderers an opportunity for reduction of their parole ineligibility after serving just 15 years. We were told that it would be contrary to the charter of rights to make the law retroactive. That involved some of the contents of Bill C-45 as well. It could not be made retroactive. Why? Because it would be a violation of the charter of rights.

Well, when the charter was introduced, a safeguard went along with it. That safeguard has never been used by the federal government, but it has been used a couple of times by a couple of the provinces.

The charter of rights and freedoms is being interpreted in such a way that it strikes down laws passed by the representatives of the people and which are in the best interests of the people. I wonder if my colleague has thought about the lack of courage or intestinal fortitude on the part of the government since the enactment of the charter of rights and freedoms. The safeguard could be used that would say to the people of Canada that in spite of what nine men and women in the supreme court might say, or anyone sitting on the bench at any level might say, how they are going to interpret the laws passed by this House.

• (1735)

Is it in the best interests of the people of Canada? Are they going to strike down those laws and deny the people the benefit that would flow from those laws because of their interpretation of those rights?

What is the hon. member's opinion or feeling about using the safeguard that was placed there for governments to use? That kind of thing has happened over and over again. It is being used by the government to justify not moving adequately and properly against section 745 of the Criminal Code that allows first degree murderers an opportunity, after serving just 15 years, at early parole.

Mr. Hill (Prince George—Peace River): Mr. Speaker, I welcome the comments and question from my hon. colleague from Crowfoot. As usual, he cuts to the nub of it and gets right to the main issue.

I have travelled across the country and talked to countless people involved in the justice system: judges, policemen from varied backgrounds, city police and provincial police, the RCMP and crown counsels who deal daily with the frustration of seeing criminals get off scot-free because of these laws.

As I talk to the people involved in the justice system I keep hearing that the problem is the charter of rights. We have to do something about it. I am not a lawyer—

An hon. member: Thank goodness.

Mr. Hill (Prince George—Peace River): Yes, thank goodness.

I cannot comment in depth on whether the notwithstanding clause is the answer to getting around the problem the system has with the charter. A step in the right direction would be the motion by the member for Fraser Valley West to enact a victims bill of rights to offset some of the power and to provide some guidance for judges when they bring down their rulings. I believe that would

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help but it would not be the whole answer, as I am sure the member for Fraser Valley West recognizes. I am not sure that enacting the notwithstanding clause would be the whole answer either.

Surely something that can be done. I sense the frustration that my colleague from Crowfoot feels. As we have raised these justice issues the passed three years we have constantly been getting this nonsense thrown at us from the other side: "We cannot do that. We would like to do that but we cannot do it because it will invoke a charter challenge". There is this bogeyman that if we go too far then the charter challenge is going to come down and stop us.

We on this side of the House have often remarked that if we cannot do something about it in this place, good god, where in hell are we going to do something about it? That is what the people are asking us.

The people are telling us that there are problems in the system when rapists are walking free. The government gets up and says there are no problems because the crown is appealing it. That is the nonsense that we have heard from the justice minister for the last week on the fallout from Bill C-41 and conditional sentencing. That is what the Canadian people have been listening to and have had to put up with.

The reality is that those victims should not have had to go through an appeal. Goodness gracious, if the system was working properly, no one can tell me that a judge would rule that a rapist who was found guilty should walk out of the courtroom scot-free. It cannot be so.

• (1740)

People in my riding say to me all the time, as do people in every other riding to their members of Parliament: "Tell me it cannot be so". The minister's response is that the crown can appeal. That is absolute nonsense.

There would not have to be an appeal if the sentence was appropriate to begin with. If the sentence was appropriate, the only appeal would be on the part of the criminal. He would appeal because he believed it was too harsh. It should not be the crown appealing because the sentence was too lenient for rape.

Mr. Penson: It is a sorry system we have.

Mr. Hill (Prince George—Peace River): It is disgusting. It is not only Reformers who are fed up with this nonsense. I hope there is a growing awareness in the real world, outside the fantasyland of this town, of what is going on.

I do not have the answer to the question posed by my hon. colleague. Something has to be done, like invoking the notwithstanding clause, to get around the charter challenges of some of the laws that people are crying out for and demanding. Let us do it. Let us get on with it. Let us face that challenge when we come to it.

Let us not use it as an excuse, as the justice minister does to do nothing but to sit and say: "We cannot do anything about it because there will be a charter challenge". Hogwash.

If we cannot do anything about it here, where will people go? Is it any wonder that people have lost faith in the system when politicians say that they cannot do anything about it? There has to be something we can do about it.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, sometimes at the beginning of a television program, there is a little warning that it will be sensitive material, that perhaps children should be restricted from watching. I would like to put that warning at the beginning of my speech today.

I will deal with a topic that will be offensive to some, however, it needs to be talked about now. We have done quite a bit of research on this lately.

Forcing children into prostitution and forcing them to participate in pornographic acts is a horrific violation of the innocence of our youth. It needs to be punished to the full extent of the law.

Unfortunately, only Reformers seem to be listening and acting on what the people want. We heard the previous speakers emphasize this over and over. While a succession of Liberal and Tory governments have taken a few tentative steps to improve the law, the Criminal Code provisions regarding child prostitution, child pornography and the definition of obscenity need to be strengthened.

Better enforcement will help us bring more criminals living off the avails of child prostitution and child pornography to justice but mandatory minimum sentences are necessary to deter the criminal element from getting into this sick business in the first place. Recent cases involving importation, possession and distribution of child pornography on the Internet demonstrate the need to crack down and crack down hard.

A point that needs emphasis is that child prostitution and child pornography are inextricably linked. One cannot be looked at without looking at the other. The two issues are completely tied together.

Our research shows—this should be alarming to all those listening—that there has been a 170 per cent increase in sex offences since 1984. In a Canadian study of male inmates convicted of rape, 86 per cent of the subjects admitted to being regular or habitual users of pornography. That ought to tell us something very clearly.

• (1745)

A survey of Canadian use of pornography indicates that young persons aged 12 to 17 years are the primary consumers of pornography. Less than 10 per cent of pornographic materials depict vaginal intercourse between one man and one woman. The majority of pornographic products are the hard core variety

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depicting one or more of the following: group sex, bestiality, torture, incest, bondage, urination, defecation, sado-masochism and sex with children.

Here are some recent news headlines that should alarm everyone. The first one comes from Montreal *Gazette* of September 6, 1996:

B.C. school principal charged with creating child pornography. If the allegations are true we have seen a grave violation of trust of parents and students.

The next one is datelined Vancouver:

The arrest of a Burnaby elementary school principal on child pornography charges sent shock waves across British Columbia yesterday. Inspector Ken Doern said police would be sifting through a large amount of material, including videos, audio tapes, photographs and written material.

Another one comes from the Ottawa *Sun* of August 27, 1996:

Pedophiles "shop" the Internet for victims. "The Internet has become a shopping centre for pedophiles", says a local investigator. Regional police Detective Keith Daniels, of the child abuse-sexual assault unit says the worldwide web has given predators a larger, more dangerous outlet to find victims.

It includes child prostitutes, I might add. The third one I would like to quote is from an article in *Macleans* of November 18, 1996 entitled "A mountain of smut—Police make an arrest in a child porn ring on the Internet" and reads:

Each printout is a colour photograph of one or more naked children, some in sex acts with adults, some with their genitals displayed, sifting through 30,000 computer files in what may be the world's largest ever seizure of computer child pornographic files. Jim Carrol, the co-author of the Canadian Internet Handbook says, "And the problem is going to get worse. If the police think they have a challenge today, they haven't seen anything yet".

The government's amendments proposed in Bill C-27 fall far short of providing the public protection and severe punishment Canadians are demanding for these despicable crimes.

The Liberal proposals include making it illegal to attempt to procure sexual services from someone under 18; a new offence for aggravated procuring that would carry a five-year minimum sentence which would apply to criminals who live off the avails of child prostitutes, use violence and assist in carrying out prostitution related activities; allowing the child victims to testify from behind a screen, by video tape or closed circuit television; and, last of all, encouraging rigorous enforcement of Criminal Code provisions focusing on pimps and customers.

Unfortunately the government has not proposed any amendments strengthening the child pornography provisions of the Criminal Code. It should include strengthening the definition of obscenity in the Criminal Code. There should be a restricting of the use of artistic merit as a defence by those who produce child pornography. There should be a placing of the onus on the accused in any child pornography case to prove the so-called art passes the

community standard of tolerance test. Those items should be included in the bill.

I also point out a major weakness in the government's child prostitution legislation. Bill C-27 creates a new offence for aggravated procuring which would carry a five-year minimum sentence.

● (1750)

The lawyers from the Library of Parliament explained it this way in their legislative report on Bill C-27:

—the new offence is applicable to anyone living to any extent on the avails of prostitution of a person under the age of 18 and who, for profit, aids, counsels, or compels that person to engage in any prostitution and uses, threatens or attempts to use violence or intimidation against him or her.

As with most laws the Liberal government rams through Parliament, it sounds good but it does not do the trick.

This section means that the police has to prove that the pimp profits from the actual prostitution and that the young girl was threatened with violence or intimidated.

What about the pimp who bribes and seduces a young girl? What about the pimp who intentionally seduces a 14-year old girl into a personal relationship and then bribes, tempts and tricks her into trying prostitution as a way of making extra money or simply pleasing him? As long as the 14-year old girl consents to have sex with her pimp, there is no criminal law against this disgusting recruiting process. It is happening today and it has to stop.

A February 5 *Globe and Mail* article described pimps who cruise the malls looking in:

—the food fair for children (they look for young teens who smoke and are chubby, two signs of insecurity) to recruit kids to work in the "baby stroll", which also is known as "popcorn alley" (where the youngest prostitutes work).

I agree with Alderman Bev Longstaff of Calgary who was quoted in Don Braid's February 9 column in the Calgary *Herald*:

When you're only 14, it's pretty hard to realize what impact your actions are going to have on your future.

Braid's column stated that it was Longstaff's idea to amend the Alberta child welfare act to allow police to apprehend underage hookers and charge the johns with child abuse.

While the Alberta amendments are great, the problem of the luring of kids into child prostitution by pimps could be better addressed simply by raising the age of consensual sex between an

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adult and a child from 14 to 16 or, as some advocate, 18 years of age would be even better.

I agree with the Calgary *Sun* editorial which stated:

It's time our laws clearly state that it's impossible for a child to have consensual sex.

Bill C-27 is a missed opportunity to do just that. The Liberals pass laws that say 16-year-olds cannot buy cigarettes, but they leave a law on the books which says that it is okay for an adult to have sex with a 14-year old child. Does that make sense? Obviously not.

As with most things in Ottawa, if the Liberal government will not do what is right we have to do it ourselves. Therefore I will be working with my colleagues to amend the Criminal Code to raise the age of consent from 14 to 16.

Here is what Reform's blue book policy states:

The Reform Party recognizes that child abuse and family violence attack the very foundations of organized society. The party supports enacting, communicating and enforcing laws that protect family members against such acts. Effective programs aimed at prevention of family violence will be a priority.

Reformers have already promised to make this a priority issue in the next election campaign, whenever the election is to be called. Reformers believe:

Current laws dealing with child prostitution, child pornography and obscenity in Canada are too weak. While both child pornography and child prostitution are illegal, currently laws are insufficient to check the exploitation of children.

A Reform government will:

Set a minimum 10-year sentence for living off the avails of child prostitution;

Introduce tougher sentences for anyone convicted of producing, peddling or promoting child pornography;

Set a minimum two-year sentence for customers of child prostitutes; and

Redefine "obscenity" to include the exploitation or glorification of crime, horror, cruelty or violence in materials aimed at children.

A Reform government will always hold families in high regard, and will do everything possible to protect the people within them. There's no better investment in the future of our country.

• (1755)

We are living in the dying days of this Parliament. The situation I have just described throughout my speech is intolerable. It should be corrected immediately.

The facts speak for themselves. Even though there are laws on the books, the problem of child prostitution and child pornography that are inextricably linked will get worse. Canadians are demanding their politicians take action. They will not be satisfied with half-hearted measures put in place by the government.

In conclusion, this has been a very interesting time for me. It has been a great learning experience. I have worked on many issues. I guess I have been a thorn in the side of the government on many

occasions. I will not apologize for that because I feel very strongly about the issues I have spoken on. I sincerely believe the government is off the rails on many of the topics I have addressed, especially the major areas of justice, democracy and finance. These three areas concern my constituents a great deal and need to be corrected.

When we came to Parliament the first speech we made is called a maiden speech. What do we call probably one of the last speeches at the end of a Parliament?

A lot of emphasis and a lot of attention has been paid to the maiden speech. Now that I have been here for 3.5 years I would like to find the name of the speech we give once we have acquired the wisdom and experience of being in this place.

One message needs to be emphasized over and over and over. Big centralized government control has made people feel their participation in Canadian politics, the running of their country, is futile. I have recorded many comments as I have gone door to door about how useless people feel this place is. We need to fix it so that we address the issues I have related in the past 20 minutes.

People feel they cannot change things. They are becoming very cynical about this place and about any promise that politicians make to change things. They want to have more control over the affairs in their local communities, but they are being held back by Parliament and by the things we do here.

We need to change this. We need to address their concerns. The concerns I have related on child prostitution and child pornography is one of the concerns of many people that needs to be dealt with.

Mr. John Bryden (Hamilton—Wentworth, Lib.): Mr. Speaker, I must say I was disappointed with my hon. colleague's swan song and remarks at the end of his speech.

His speech was fine but he concluded his remarks by saying that Parliament was useless. That is basically what he said. Perhaps Parliament does not necessarily agree with the positions taken by his constituents which he feels he reflects when he stands here. He says that there is great cynicism in the land because Parliament is not acting on the viewpoint he presents on child pornography and child prostitution. That is unfortunate. Everyone in the House feels very acutely the horror of the abuse of children in any sense.

• (1800)

I support Bill C-27, but it opens some very difficult areas. My hon. friend mentioned one of those areas when he talked about child pornography. He said that Parliament has to do something about the distribution of materials which celebrate sex and violence, especially when these materials are aimed at children.

One of the reasons we have these debates and one of the reasons I am here is to say to the hon. member that he is right, we have to act on child pornography. We have to act on pornography of any

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kind. However, how do we do that and not interfere with free speech? That is the problem.

Whenever we get into areas of crime and victims rights we always have to weigh the other side, the interests of seeing that the accused has a fair day in court and that the innocent are not punished. We always have that balance in debate, even though in our hearts we reach out to the victims of crime. Certainly children are the ultimate victims of crime.

Does my hon. friend not agree that we have to debate these issues in the House to make sure that in our desire to address the victims of crime we do not interfere with fundamental liberties like freedom of speech? There are video games, board games and television shows which cross the line with respect to violence and pornography which are aimed at children. Would he stop those things?

These are the problems which we face. I would ask him to comment on that. How do we balance in a parliamentary debate the interests of the victims with the interests of the rights of the citizens of this country?

Mr. Breitreuz (Yorkton—Melville): Mr. Speaker, I would like to deal with the first point raised by the hon. member.

Parliament is not working. If there are concerns in the community and the highest court in the land does not address those concerns and is not responsive to them, Parliament is not effective. That is the bottom line.

I related to the House one of the problems we have in society. I appealed to the government to do something. For the government to come back and say that it does not want to interfere with free speech when it comes to pornographic material, I can hardly believe my ears. I can hardly believe that we have people opposite who are defending some of the things which are causing child prostitution. They are making it worse. I cannot believe it. It is absolutely unacceptable.

If there is a choice, as the hon. member outlined, victims rights come first. We always put victims rights first. Criminals do not deserve the same rights. This government has it all backwards.

Mr. Rex Crawford (Kent, Lib.): Mr. Speaker, I have been sitting here most of the afternoon listening to the speeches on Bill C-27. The hon. member for Hamilton—Wentworth asked a question about free speech. Before that the hon. member for Prince George—Peace River spoke and before him the hon. member for New Westminster—Burnaby.

• (1805)

I believe the word was disgusting. I can agree with that terminology because then the hon. member for Prince George—

Peace River went into artistic merit. Do we have artistic merit today?

What our censorship council or board is allowing us to see as adults and children is even more disgusting than the hon. member had said. I remember when "Gone with the Wind" was a little ticklish. I am not one to go to movies but some I have gone to and, I must admit, left are some of the worst degrading garbage I have ever seen. However, our censor board in Canada allows it. Is that allowed under freedom of speech?

There is child pornography and pedophiles. I do not think it is the government that is breaking down. I think it is families that are breaking down. When we see children 12 years of age and under causing vandalism after midnight or in the early hours of the morning and being picked up by the police, where are the families? What has happened to the families that children are allowed to vandalize and steal?

Thank goodness we have the Young Offenders Act to protect us. But what is happening to Canada and Canadian families? I believe there is a sincere breakdown in the families. But are we causing it through our government bills?

I have read in the media where our crime rates, according to the justice department, are down in Canada compared to the United States where crime is rampant. The article stated that putting these offenders in jail is not helping.

In the area where I grew up we never locked a door, never locked the car because the neighbour might want to borrow it. Today everything is locked up. Homes have security systems. However, crime has gone down. Every home in my area out in the country has been robbed.

I ask the hon. member to explain more of his views on how we can fight this. I think we as a government want to fight this but we need guidance.

Mr. Breitreuz (Yorkton—Melville): Mr. Speaker, I appreciate the member's comments and I appreciate his desire to solve some of the problems we have in Canada.

I think he has zeroed in on one of the key concerns that we as Reformers have as well. It is one of the top three parts of our election platform, to make families in Canada a priority. I will come back to that in a minute.

The hon. member said that crime is going down in Canada. Stats Canada has just released its report. Criminal Code offences have increased 400 per cent since 1962. I am not sure where the member is getting his information from.

I would like to come back to the family for a moment but I see I am being signalled that my time is up. The family is the basic building block of society. Much of the legislation in the House has harmed the family. It has not allowed parents to take the responsibility for their children which they must take.

• (1810)

We need to emphasize the family. All legislation in this House should be checked to see what effect it has on the family. The taxation policies of this government have harmed the family to the point where both parents have to be outside of the home, one to pay the taxes and the other to put bread on the table.

I could give members a speech on how government has undermined families. We need to make families a priority. I agree that is a lot of the problem. We cannot just punish crime. We also have to make it so that there is an avenue to transmit values from one generation to the next and allow community organizations and churches to do their part by having them work through strong families.

Mr. Zed: Mr. Speaker, I think you would find unanimous consent to have debate collapse on this government order. With the predisposition of the House, and after a great deal of consultation, I believe we would then call Bill C-44 and proceed with report stage of Bill C-44 only.

I believe that the predisposition of the House at the moment is that there would be no further debate on Bill C-27, the question would be put and deferred, and we would move on to Bill C-44.

The Acting Speaker (Mr. Milliken): Is the House ready for the question on Bill C-27?

Some hon. members: No.

Mr. Williams: Mr. Speaker, I think the deputy government House leader indicated that there may be an all-party agreement here. Should we not seek that agreement before we collapse the debate on Bill C-27?

Mr. Zed: Mr. Speaker, I think if you seek it you would see that. However, I believe the Speaker would advise that we need to collapse Bill C-27 and defer that vote and then move to Bill C-44. I believe there would be three ten-minute speeches for report stage only.

The Acting Speaker (Mr. Milliken): The Speaker is a servant of the House. Is there unanimous consent that we proceed as indicated by the parliamentary secretary to the government House leader?

Some hon. members: Agreed.

The Acting Speaker (Mr. Milliken): Is the House ready for the question on Bill C-27?

Some hon. members: Question.

The Acting Speaker (Mr. Milliken): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

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

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CANADA MARINE ACT

The House proceeded to the consideration of Bill C-44, an act for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending and repealing other acts as a consequence, as reported (with amendments) from the committee.

SPEAKER'S RULING

The Acting Speaker (Mr. Milliken): There are 127 motions in amendment standing on the Notice Paper for the report stage of Bill C-44. The motions will be grouped for debate as follows.

Group No. 1: Motions Nos. 1, 30, 50 to 57, 60, 63, 82 and 113.

Group No. 2: Motions Nos. 2, 65 to 81, 83 to 96, 102 and 115.

• (1815)

[Translation]

Group No. 3: Motions Nos. 3, 4, 5, 6, 7 and 9.

[English]

Group No. 4: Motions Nos. 8, 10 to 17, 26 to 29, 32 and 118 to 122.

[Translation]

Group No. 5: Motions Nos. 18 to 25, 31, 33 to 49, 58, 112, 114, 117, 125, 126 and 127.

[English]

Group No. 6: Motions Nos. 59, 61, 62, 64 and 97 to 101, 104 to 111 and 116.

[Translation]

Group No. 7: Motions Nos. 103, 123 and 124.

[English]

The voting patterns for the motions within each group are available at the table. The Chair will remind the House of each pattern at the time of voting.

MOTIONS IN AMENDMENT

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 1

That Bill C-44, in Clause 2, be amended by replacing lines 14 to 16 on page 1 with the following:

““fees” includes harbour dues, berthage and wharfage, as well as duties, tolls, rates and other charges.”

Motion No. 30

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That Bill C-44, in Clause 10, be amended by replacing lines 23 to 25 on page 8 with the following:

“authority referred to in subsection (1) that was one or more harbour commissions immediately before the coming into force of this subsection are”

Mr. Zed: Mr. Speaker, a point of order. I understand what stage we are at but I want to be sure that there is unanimous consent to extend the hours for the three speakers that have been agreed to so that we do not run out of time. There will be three 10 minute speeches. I want to be sure that there is unanimous consent for that.

At the end of those speakers all questions are deemed to have been put and deferred until the 12.30 vote tomorrow.

The Acting Speaker (Mr. Milliken): Perhaps we could make it clear. I gather the intention is that there be three speakers, one from each of the three recognized parties speaking for 10 minutes each on all motions.

Is it agreed that we will proceed in the way indicated by the Parliamentary Secretary to the Government House Leader and extend the hours as necessary to complete the work outlined?

Some hon. members: Agreed.

The Acting Speaker (Mr. Milliken): So ordered.

Mr. Kilger: Mr. Speaker, with all due respect to my colleagues and others who have been taking part in these discussions, I would like to give notice to the House that at some time I would like to ask for unanimous consent to table an amendment to Bill C-44.

The Acting Speaker (Mr. Milliken): I will continue putting the motions in Group No. 1 and then I will deal with the request of the chief government whip, if that is satisfactory.

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 50

That Bill C-44, in Clause 36, be amended by replacing lines 36 and 37 on page 22 with the following:

“other than sections 12 to 14 and paragraphs 16(1)(a), (g) and (i) and (2)(g).”

Motion No. 51

That Bill C-44, in Clause 36, be amended by replacing, in the French version, lines 3 and 4 on page 23 with the following:

“certains immeubles ne sont plus nécessaires à l'exploita-”

Motion No. 52

That Bill C-44, in Clause 37, be amended by replacing lines 28 to 32 on page 23 with the following:

“(3) A port authority may, for the purpose of operating the port, lease or license any federal real property that it manages, subject to the limits in the port authority's letters patent on its authority to contract as agent for Her Majesty in right of Canada. The term

of the lease or licence may not be more than the maximum term that the letters patent set out for such a lease or licence.”

Motion No. 53

That Bill C-44, in Clause 38, be amended by replacing line 39 on page 23 with the following:

“38. (1) Subject to subsection 37(3), a port authority may not dispose of”

Motion No. 54

That Bill C-44, in Clause 40, be amended by (a) replacing lines 35 to 37 on page 24 with the following:

“(b) prohibit the erecting of structures or works or certain types of structures or works; and

(c) subject to any regulations made under section 52, regulate the type of structures or works that may”

(b) replacing line 8 on page 25 with the following:

“(b) the erecting or alteration of a structure or work”

Motion No. 55

That Bill C-44, in Clause 43, be amended by replacing, in the English version, lines 1 to 3 on page 28 with the following:

“(4) The notice required by this section does not apply to any fees accepted in a contract under section 44.”

Motion No. 56

That Bill C-44, in Clause 49, be amended by replacing, in the English version, lines 24 to 26 on page 31 with the following:

“(c) direct a ship to use specified radio frequencies in communications with the port station or other ships; and”

Motion No. 57

That Bill C-44, in Clause 49, be amended by replacing line 25 on page 32 with the following:

“(3) No ship shall”

Motion No. 60

That Bill C-44, in Clause 61, be amended by replacing line 27 on page 38 with the following:

“(b) the transfer of the administration and control of all”

Motion No. 63

That Bill C-44, in Clause 63, be amended by

(a) replacing line 13 on page 40 with the following:

“(b) the regulation and prohibition of uses, structures.”

(b) replacing line 18 on page 40 with the following:

“any structure or work that interferes with navigation”

Motion No. 82

That Bill C-44, in Clause 69, be amended by replacing, in the French version, line 41 on page 44 with the following:

“d'une entente et la protection des intérêts de”

Motion No. 113

That Bill C-44, in Clause 157, be amended by replacing lines 28 to 36 on page 83 with the following:

“157. Paragraph 3(1)(a) of the Fishing and Recreational Harbours Act is replaced by the following:

(a) any port, as defined in section 4 of the Canada Marine Act, or any harbour, works or property under the jurisdiction of a harbour commission established under an Act of Parliament; or”

• (1820)

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, I want to thank especially the parliamentary secretary to the House leader for his diligence in co-ordinating what we see as a rational and accepted debate that will take place on Bill C-44. I also want to thank the members opposite in the Reform and Bloc for their co-operation.

It is a great privilege to speak to Bill C-44, the Canada Marine Act, which was reported back to this place by the Standing Committee on Transport.

In December 1995, the Government of Canada published the “National Marine Policy: A Sweeping Strategy for Modernizing the Marine Sector”. The policy sets out a clear and cohesive plan of action to help Canada’s harbours and ports. The seaway, pilotage operations and ferry services face present and future challenges.

In June 1996, the government introduced Bill C-44, the Canada Marine Act, which is crafted to give full effect to the 1995 policy strategy. It brings business principles to bear on the use and future development of the marine system.

Only a cost effective, affordable system will be sustainable in today’s highly competitive environment. The system no longer will be weighed down by costly administrative overhead. Procedural red tape is being cut. Ottawa’s involvement in the day to day running of the system will be reduced. Reporting and approval requirements will be streamlined and what remains will be clearly spelled out.

Threaded throughout the Canada Marine Act is the philosophy of commercialization. It is to lighten the load on Canadian taxpayers for provision of the marine service. The proposed legislation will, in no way, compromise the high safety and environmental standards now in place. The rights and interests of all adjacent communities, including First Nations will be respected.

Much has been and will be done to remove subsidies. The cost of services will be shifted to those who benefit most directly. Ports that operate commercially using facilities that were built up at substantial public expense will make modest annual payments back to the taxpayers. Those at the local level who are charged with running the system will be given greater autonomy and freedom to manage. The marine sector is a business and must be as free as possible to operate as one.

Commercialization also means more user say. For business to be viable, it must be responsive to the people it serves. The infrastruc-

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ture and the resources of the marine system will be better matched to market demand and to real need.

A more cost efficient, businesslike marine sector will enhance opportunities for economic growth and job creation at home and make us more competitive on the world stage. Bill C-44, and the national marine policy on which it was founded, are products of much time and effort by many people.

At this point, I would like to express my sincere thanks on behalf of the government for the efforts of the House Standing Committee on Transport. The standing committee’s role was invaluable in shaping, first, the national marine policy and today, the Canada Marine Act.

I had the honour to chair the House Standing Committee on Transport when we formulated the national marine policy. On September 26, 1996, in my new role as parliamentary secretary, I witnessed the participation of the Minister of Transport who requested that the committee focus on some key issues that already had been raised by stakeholders in discussions since the introduction of the bill last June.

The four issues that he put on the table for attention were: crown agent status, the capacity and power of port authorities, the tax status of ports, and port governance structures.

The standing committee then travelled across Canada again so that everyone with an interest had the opportunity to shape the bill. Provinces, communities, industries, managers, unions, members of the public, all took the time to record their views with the Standing Committee on Transport. All are to be commended.

Not all the viewpoints could be reconciled with each other nor to the policy direction that helped shape the bill. However, the standing committee has reported changes to the bill that strengthen it, while striking an appropriate and objective balance.

• (1825)

The structure of the new Canada port authorities has to reflect our best view of how we want our national system of ports to operate. On one hand, there is a need for modern ports to have freedom to manage in order to meet user need and to stay competitive. On the other hand, there is the awareness that while ports are important economic generators in the economy, they also perform something of a public function. For this reason, they enjoy certain special privileges compared to other businesses and need a higher standard of public accountability for their operations.

After considering the many views on these issues, the standing committee determined that a number of changes were needed in management structure and operating conditions for our new port authorities.

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The government supports the changes in this area brought forward by the standing committee. I will single out only three of them to mention the impact they will have. For better manageability and efficiency, the size of the governing board is now permitted to be as few as seven, compared to the previous minimum of nine directors. This does not compromise the objective of maintaining a user majority on the board.

To ensure adequate continuity, the chairperson's term of office is increased from one to two years and the limitation of only one re-appointment is removed. To clarify that ports will have status as government institutions in their international dealings, port authorities now are declared to have crown agent status. These three changes illustrate that the standing committee has listened very carefully and has struck an equitable balance among sometimes very divergent interests.

This government said at the outset that it was flexible and open to constructive suggestions for making the legislation better. The standing committee has formulated more than 100 changes, some of a substantive nature, plus many more that represent a technical fine tuning of the bill to make the legislation more practical, clearer and more user responsive.

In the same spirit of continuous improvement, we have been able to identify some additional changes that would make it better for a more workable bill. We have submitted these changes for consideration by all members of the House. I am privileged on behalf of the government to speak to this bill. We have here a bill that ensures a more effective marine sector to the benefit of all Canadians. The Canada Marine Act will play an important part in the government's overall strategy to move the national transportation system forward into the 21st century. I look forward to hearing the interventions from my colleagues on this side and the members opposite.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I am pleased to rise today to speak to Bill C-44 at report stage.

I should point out that Bill C-44 is the result of the extreme frustration caused over the past 30 years by the lack of effectiveness of Canada's marine policy. The bill before us today is aimed at giving local authorities a greater say in the way port facilities are managed; for the longest time the federal government believed it could run ports across Canada from afar.

Bill C-44 now before us has been completely reworked. At report stage, we managed to get some significant improvements. We will recall the victory of seaway pilots, who were able to show how crucial it was to put safety first, and prove, thanks to their excellent presentation highlighting seaway safety, that the integrity of their job had to be preserved and therefore, that they could not be subjected to management rules that might jeopardize seaway safety.

At the cross-country hearings, we heard testimony from several local authorities asking that federal agency status be granted to national ports. We supported this proposal. At first glance, this might appear surprising on the part of a Quebec sovereignist party, but the rationale is the following: major national ports must be given more opportunities in order to become competitive on the North American market and on the world market. When Quebec becomes sovereign, Quebec ports enjoying this status under federal legislation will retain the same opportunities since the legislation will become law in Quebec. And this is why it is interesting.

• (1830)

During the hearings, many people underscored the need for some flexibility in ensuring that the existing harbour commissions, which are the most advanced form of local management established under the old legislation, can maintain their status or at least continue to operate as they should. There are some interesting elements in that area.

However, one element seems particularly important as far as the objectives of this bill are concerned. Clause 3 of the bill states:

It is hereby declared that the objective of this Act is to

(a) implement a National Marine Policy that provides Canada with the marine infrastructure that it needs and that will promote and safeguard Canada's competitiveness and trade objectives;

The Bloc felt that the bill would be improved by ensuring that the national marine policy makes it possible to achieve the local, regional and national socio-economic objectives, in order to promote and preserve Canada's competitiveness. However, the purpose of our amendment, which seems very reasonable to me, is to strike a balance between competitiveness, which is now part of our system, and free trade, which is invading all areas of activity, so that local, regional and national socio-economic objectives can be taken into account in all regions of Quebec and Canada.

This means that the legislation as a whole must be interpreted in light of this objective of the bill.

If the amendment is accepted, and I ask members on the government side to consider it seriously, it will improve the legislation and go along the line of a number of amendments put forward by the hon. member for Labrador, who suggested we ensure that the situation in remote areas for instance is different from the situation in major centers or in economic circles where there is more free trade within North America.

Underlying this legislation is a desire to transfer responsibility for the facilities to local authorities, but this transfer must take place under acceptable terms. Our Motion No. 5 would ensure that the principle of the legislation's objective is respected.

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If the House approves this amendment, it will affect every aspect of the department's operation, the process by which the decision is made for instance to effect the divesting of ports or by which funds are allocated to wharf repair, whether on a ferry wharf like the one in Rivière-du-Loup or wharves with a more commercial use like the one in Cacouna, in my riding, or in Trois-Pistoles, or repairs on certain port facilities no longer used for what they were originally designed for. There are many good examples of this in the Gulf of St. Lawrence. Since the Saguenay St. Lawrence Marine Park was established, many lighter port facilities need to be overhauled to give access to the river in support of the jewel of tourism this park will become.

By including this requirement to meet local, regional and national social and economic objectives in the legislation, we will ensure an essential balance.

It is also important to ensure that, when this bill is implemented, sufficient funding is provided to effect the divesting because, at present, every operation whereby responsibility is transferred to local authorities is permeated by the fear that the funding required to perform the function will not be transferred along with the responsibilities. This does not necessarily occur in transfers made in an effort to decentralize.

If it keeps improving at this rate, Bill C-44 could well achieve a large consensus in this House.

● (1835)

Unfortunately, for the time being, there are still flaws and the government will have to deal with them. I mentioned one, but there are others which are addressed in the proposed amendments.

One of the amendments proposed by the Bloc Québécois deals with the need to recognize, as a Canadian port authority, facilities such as those of Port Saguenay and Trois-Rivières. These are facilities which, originally, might not have met the specific criteria set out in the legislation.

Through our work in committee, we were able to make sure that these ports can enjoy such status and thus be part of the wide network of national ports, which are vital elements of the transportation infrastructure to promote economic development in Canada. I will conclude by discussing elements of that nature.

For a long time, the whole issue of port management in Canada was essentially the federal government's responsibility, and there are many stories of port facilities that were built a long time ago and then more or less set aside, because they were deemed obsolete. Local communities did not feel these facilities were their own, while the federal government could not assume sole responsibility for them.

The arrival of the Bloc Québécois in Ottawa helped develop an awareness of the importance of the transportation issue, of the interface with the transportation sector to help diversify regional economies. The reform of port activities is one element of this policy.

We are not yet totally pleased with the bill. I hope the government will recognize the soundness of our amendment. I believe the serious work done by both sides of the House to make this bill as good as possible has already been recognized.

In conclusion, there are still some elements to be corrected, especially the need to ensure that the national maritime policy will not be merely a market-based policy promoting pure competitiveness. The entire Canadian economy must take it into consideration that there are specific characteristics, other criteria to consider, including the economic impact of port facilities. It is not true that a port has the same importance and the same relationship to community development whether it is in Cacouna, Quebec City, Montreal or Thunder Bay.

In my region, we have been aware for the past 15 or 20 years of the importance of finding a way to develop Cacouna's port infrastructure. This project has gone through all of the stages of what might be called the region's political history. With the bill as it is, and with the proposed amendment on government responsibility to make this national maritime policy a tool of regional economic development, if we attain that objective, the federal government will then have to provide the necessary funds for implementation, so that the devolution is done properly.

We will be able to improve the bill in committee and at report stage. Then, when it gets to third reading, we shall see whether amendments might be made to its substance.

[English]

Mr. John Duncan (North Island—Powell River, Ref.): Mr. Speaker, we have on the west coast a lot of community problems originating from the designation of ports and port facilities and we have some ongoing discussions and negotiations at the local level in terms of how they are going to manage their affairs given the devolution of the wharfs and facilities which have been known throughout the last few decades as the federal dock and so on.

We have a very specific problem on Vancouver Island with the naming or designation of ports. We have a remote designation and a local and regional designation. These have major implications to communities. When we end up with a largely bureaucratic driven decision that impacts a community thousands of miles a way we have to find a way to ensure that the information upon which the bureaucracy is making its decision is the correct information and not something that someone like I would have to ferret out after

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months of amazement at how a decision could be made through something like the freedom of information.

• (1840)

Lo and behold, in the cases of the two communities of Zeballos and Tahsis which are adjacent communities on Vancouver Island as the crow flies but over 300 kilometres separate by road, I determined that the bureaucracy in Ottawa thought they were connected by a 10 kilometre road which affected the designation and how this enabling package and the devolution of port facilities is going to affect them in a very negative way. I am still trying to get that sorted out. I hope I will get some assistance from the respective minister.

I have some assurance that where there are port facilities that fall under small craft harbours under the Department of Transport that are adjacent and have been considered by the community to be single facility, these proposals will be looked at with a lot of flexibility by the respective ministers. In this case, the Minister of Fisheries and Oceans and the Minister of Transport both have jurisdiction. It makes common sense to include both these facilities under one domain and then to move it into a community harbour committee type of arrangement. I am looking forward to co-operation in that regard as well.

This bill has been in the hopper for quite some time. When it was sent to the Standing Committee on Transport there was an awful lot of listening that had to be done. I witnessed a number of amendments that have been made to the legislation. We know it was certainly not a complete package when it was presented and we know there has been a lot of input. We also know that the direction of some of the amendments is very good indeed.

I have a concern that not all the amendments will achieve what needs to be achieved. I think a part of that is due to partisanship and gamesmanship in this place rather than really trying to accomplish what is right. There have been filibusters at the committee stage to block amendments having to do with the St. Lawrence seaway.

Based on a Bloc filibuster the government backed down and withdrew four amendments which were designed to aid the control of the cost of shipping in the St. Lawrence. Government members of the committee rationalized this as a necessary move in order to move the bill along quickly and suggested they would be able to reintroduce them at report stage. This was months ago.

• (1845)

From all outside appearances once again we are in the final days of another sitting of Parliament with an agenda that should not be rushed but appears to be rushed. There were amendments involving

ports policing. Ports operating under the umbrella of the Canadian Ports Authority were being policed by the Canada Ports Corporation Police. The bill would bring an end to the existence of the Canada Ports Corporation. However, with the end of the Canada Ports Corporation, also comes the end of the Canada Ports Police.

We have a circumstance where essentially the municipalities do not mind looking after the policing. However, where there are incremental costs which there will be in some cases, naturally they wanted to be compensated. We cannot have federal offloading on to municipalities. I believe there are amendments that will take care of that situation. I hope and pray those amendments will indeed pass.

The legislation also establishes many of the ports previously operating under the Harbour Commissions Act as Canadian port authorities. As such they will be required to pay full grants in lieu of taxes.

We have an amendment calling for a five-year phasing in period. Ports that are not required to pay these grants would pay no less than what they had already been paying and 80 per cent of the difference between what they had been paying in the full value grants in lieu over the next succeeding four years and the full grants in lieu by year five.

No city or municipality would have received less than it had already been getting. At the same time the phase in period would allow time for ports to prepare for the previously unbudgeted impact of these payments. This deficiency in the bill has also been overcome by an amendment that I am supporting as well. However some small ports under the legislation will be placed in financial risk. This is not a good way to start a new program.

There is some good in the bill. In fact there is quite a bit of good in it. The objective of the committee was to examine the bill and make it as good as possible. That has not been met. The issues were clear. The solutions were clear. However the government has failed not because of marine philosophy but because of political gamesmanship. The bill could have been better.

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I rise on a point of order. I think you will find that the House will grant its consent for the following motion after the speakers from Blainville—Deux-Montagnes and Beauport, who I understand have 10-minute speeches, and the two speakers on the government side who are splitting their time five minutes each. I move:

That all questions required to dispose of report stage of Bill C-44 be deemed moved and seconded, questions put, divisions demanded and the votes deferred to the end of Government Orders on Tuesday, April 15, 1997.

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• (1850)

The Acting Speaker (Mr. Milliken): Just to clarify the matter for the Chair, the question before the House is that there be an additional 30 minutes of debate, two 10-minute speeches from the official opposition and two 5-minute speeches from the government. Then, at the conclusion of the speeches, all the questions necessary to dispose of report stage of the bill will be deemed to have been moved, seconded, divisions demanded and deferred until tomorrow at 5.30 p.m.

Is that correct?

Mr. Zed: That is correct.

The Acting Speaker (Mr. Milliken): The House has heard the terms of the motion. Does the parliamentary secretary have unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Milliken): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to.)

[*Translation*]

Mr. Paul Mercier (Blainville—Deux-Montagnes, BQ): Mr. Speaker, when we consider the current administrative and financial aspects of running the St. Lawrence Seaway, we can just imagine the president of a private company announcing to his board of directors and shareholders that the capital they invested in the company produces an average yield of 1 per cent.

Canadian taxpayers may react like the shareholders after investing \$7 billion in the St. Lawrence Seaway, which brings in \$70 million annually, or 1 per cent. I imagine the shareholders would not be very pleased and would be even less so if the president went on to announce that tonnage on the St. Lawrence Seaway has declined by 50 per cent over the past 25 years. I imagine there would be frowns all around and that the president would be accused of poor management and asked to explain the reasons for these disastrous results.

The books would reveal a top heavy bureaucracy which does not make for efficient management but does generate many opportunities for giving jobs to friends. They would also show other signs of poor management, and even if the purpose of this bill is not really to improve the situation, we would hope that the amendments we are proposing would have that effect.

We believe that basically, as in other legislation, this government is trying to scale down its financial commitments and responsibili-

ties in order to offload them onto other levels of government and the private sector.

At any rate, we are not opposed to this bill. We think that the management of the St. Lawrence Seaway could only improve if handled by someone else, since it could not be handled any worse than it has been by the federal government.

But for this bill to produce good results, we in our party would like to make a number of really important changes, one of which deals with the divesting of certain ports. Some of these ports, which have been victims of mismanagement for many years, are in bad shape, and we feel that the government has a duty to put them back into decent shape before they can be sold. That is one of our conditions for supporting this bill, and a number of the amendments we have put forward deal with this.

Also, with the federal government financially withdrawing from the St. Lawrence Seaway and in the absence of any government subsidies, loans and financial contributions, one would expect that the federal government would stop, to a great extent, imposing its will on the boards of directors to be established. But that is not what is happening. We can understand the federal government having one representative on these boards. However, we strongly object to the fact that, except for those members coming from the provinces and municipalities, board members will be appointed by the government, without our knowing whether it will do so arbitrarily or if, as it should, it will listen to the suggestions made by the organizations represented. We will move amendments to make sure the government will listen—not merely consult, but listen—to the organizations involved, when they make recommendations regarding the appointment of members to ports' boards of directors.

• (1855)

I only raised two issues. The hon. member for Kamouraska—Rivière-du-Loup mentioned a number of other ones. Other comments will be made but, in conclusion, we agree with the principle of this legislation and we will support it, provided our proposed amendments to improve it are accepted. Otherwise, we would have no choice but to oppose the bill.

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, I am pleased to speak to Bill C-44, the Canada Marine Act.

I rise to speak wearing various hats. I rise as Bloc Québécois transportation critic in 1993, 1994 and 1995. I also rise as a representative of a people who, on the eve of what I hope is an imminent election, want to demonstrate the role of the Bloc Québécois in Ottawa.

Quebecers watching us from the comfort of their living rooms will be more than able to understand—and I assure you Quebecers do understand—the importance of the Bloc Québécois here in the House of Commons in Ottawa. If, in 1993, they had sent back 74

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Liberal MPs out of a total of 75, as happened in the Trudeau era, there would not have been a block of MPs to defend Quebec's interests.

Once again, in this bill, we have solid evidence of the victories won by the Bloc Québécois for Quebecers.

I also want to congratulate my colleague, the member for Kamouraska—Rivière-du-Loup, for the excellent work he did on this bill, assisted by the hon. member for Blainville—Deux-Montagnes. I think that what we have before us is almost the final product, but hours and hours of hearings and committee work went into the amendments we see today. I would therefore like to congratulate them.

As the previous two Bloc Québécois speakers have mentioned, the Bloc Québécois will not be opposing this bill in principle, but once again, as the member for Blainville—Deux-Montagnes has just pointed out, everything depends on the government's receptiveness to our amendments.

But I should begin by addressing the whole issue of the commercialization of ports. I remember that, in 1985, the first goal of the Standing Committee on Transport, made up of a majority of Liberal members, was to replace or abolish Ports Canada. I see that the minister is listening to my speech and I am very pleased to tell him that the decision to terminate Ports Canada was an excellent one.

I remember putting questions to the transport committee about expense accounts. So, at the outset, I wanted to say that we wholeheartedly agree with the dismantling of Ports Canada. However, the Liberal majority sitting on the transport committee supported the establishment of some kind of ports secretariat which would have been based here in Ottawa, another monitoring agency.

Fortunately, the bill before the House provides for the commercialization of these ports. So, no structure will have to be set up. There will be independent entities. The board will be made of a majority of local stakeholders, that is people who are familiar with the needs and the concerns of the region and the local ports. Again, this is an interesting development.

• (1900)

Once again, with regard to the role played by the Bloc Québécois, members of the Bloc who sat on the transport committee managed to have included in the Canadian port authorities network two ports that were originally forgotten, namely the port of Trois-Rivières, thanks to representations made by my colleague, the Bloc member for Trois-Rivières, and Saguenay port, located in the federal riding of Chicoutimi, thanks to representations made by my colleague, the member for Chicoutimi, and also by another colleague, the late member for Jonquière, André Caron, who had replaced me as transport critic. It is a victory for the Bloc Québécois.

Another victory is the retention of pilotage on the St. Lawrence River. I had the opportunity to make several speeches in this House in which I asked a simple question: can we afford another *Exxon Valdez* on the Montmagny archipelago, in the Cap Tourmente wildlife preserve in my riding, along the shore of Île d'Orléans? Can we afford that?

I can tell you that it is thanks to the tenacity of the members of the Bloc Québécois and also to representations made by the pilots of the Lower St. Lawrence that this bill provides for the retention of pilotage. At least, it will not be reviewed until December 31, 1997, and this is why I wanted to stress this interesting aspect of the bill.

My time is running out and the last point I would like to make is that our party plans to vote against this bill at the third reading stage because, even though we do agree with some elements of the bill, we object to some of its shortcomings. For example, nothing in this bill reflects a determination to maintain or promote shipbuilding.

I made some proposals and submitted some amendments concerning tax laws so that shipbuilding could be encouraged and even developed in Quebec and Canada, but the bill contains nothing to that effect. Once again, I would like to stress that the Quebec region shipyard now called Industries Davie, formerly MIL Davie Inc., is still waiting for the federal government's position on its recovery plan and its future.

Workers at MIL Davie have done their part. They literally butchered whole sections of their collective agreement to allow MIL Davie to compete with shipyards in Korea, China or elsewhere. It is now profitable, the rest is up to the federal government.

It should be remembered that only Quebec has been affected by the downsizing of shipbuilding. We saw the demise of Canadian Vickers, in Montreal, and Marine Industries, in Sorel; MIL Davies is the only shipyard left in Quebec. While shipyards were closing in Quebec, 10 or 11 were being built in the maritimes with the help of the Conservatives.

That is why, in the next election, we will keep telling Quebecers that Tories and Grits are all the same and that the only solution is to support the Bloc Québécois members, who will go to Ottawa to stand up for their interests, as we did with this bill.

[English]

Mr. Dennis J. Mills (Broadview—Greenwood, Lib.): Mr. Speaker, I would like to give notice that I will be sharing my time with the member for Hamilton—Wentworth.

It gives me great pleasure to speak on this very important bill today. It is such a relevant bill for the city of Toronto. I want to go back to the Prime Minister's very first speech in Toronto after he was elected about four years ago. During that first speech in Toronto the Prime Minister said that Toronto would play a very

important part in the economic renewal of the country. Because the people of the greater Toronto area came on side with the Liberal Party, the Prime Minister during the last election said that instruments would be put in place to ensure that the economic revitalization of the city of Toronto, which is so important to the rest of the country, would happen. Today, thanks to the Minister of Transport, thanks to the Parliamentary Secretary to the Minister of Transport, the hon. member for Hamilton West, the author of the Keyes report, we now have Toronto named as a Canada port authority in the new Canada marine act.

• (1905)

For those of us who have been working in the Toronto caucus over the last few years on economic revitalization through tourism, recreation and commerce, this bill, by recognizing Toronto as a port authority, will finally give the proper tools to those who understand our city and the importance of the presence of the Government of Canada in the overall economic renewal of the city of Toronto.

It would be remiss of me not to mention the leadership of Charles Parmalae of the Toronto Harbour Commission, the leadership of Harold Pereunboom, Howard Joy, Gary Reid, Bill Jackman and many others. I wish I had more than five minutes to deal with this very important legislation.

It is important to realize the work that was done in setting up the Toronto port authority, which will now have special Government of Canada status. The work which was done to make that happen is unimaginable. It has been a long arduous task, but today in the nation's boardroom we celebrate the fact that we finally have an all-party agreement to proceed with this designation. That, in itself, is a rare achievement in the House.

I know there are a number of people in Toronto who from time to time wonder about the commitment of the Government of Canada to that city. Sometimes they wonder whether the Toronto members of Parliament are giving full force to the economic renewal which is needed in that city.

It is no secret that many young people in Toronto are unemployed. One of the sectors of the economy that is counted on heavily to help support those unemployed Canadians is tourism. In the last four years Parliament has quadrupled the tourism marketing budget to ensure that the conventions, the trade shows, the entertainment industry, the hotel and restaurant industries of Toronto are provided all the necessary tools.

To be able to stand in the House on the eve of an election and say that the Government of Canada's presence through the Toronto port authority has once again been revitalized is a very meaningful

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opportunity for me. I want to thank the master of the Keyes report, the member for Hamilton West, the Parliamentary Secretary to the Minister of Transport, for working with us on this very important instrument of economic renewal for the greater Toronto area. It is very important.

• (1910)

I wish I had more time to go into the various impacts this will have. It will allow the Government of Canada to once again become a full partner with the city of Toronto and with the province of Ontario. Together the three levels of government, including metro, will make sure that we do our part not only for the city of Toronto and the province of Ontario but all other regions of Canada. When we have a healthy, vibrant reinvigorated Toronto, it has a ripple effect throughout the whole country.

Mr. Keyes: Mr. Speaker, I rise on a point of order. I did not want to interrupt the member for Hamilton—Wentworth, however, to ensure that we have the right instruments in place of which the hon. member spoke, if you request it, you will find unanimous consent:

To amend Motions Nos. 125, 112, 114 and 117 by including Toronto Port Authority and withdraw Motion No. 126.

The Acting Speaker (Mr. Milliken): The House has heard the motion proposed by the Parliamentary Secretary to the Minister of Transport. Is there unanimous consent that the parliamentary secretary may be permitted to put his motion to the House at this time?

Some hon. members: Agreed.

The Acting Speaker (Mr. Milliken): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

(Motion agreed to.)

[*Translation*]

Mr. Laurin: Mr. Speaker, I am sorry but we did not hear simultaneous interpretation while you were reading the text in one language only. I would like to understand the meaning of the amendments moved by the parliamentary secretary. I think interpretation was not working then.

The Acting Speaker (Mr. Milliken): I can read the motion another time. With the unanimous consent of the House, the hon. parliamentary secretary moved that clause 125 be amended by the addition of the words *Toronto Port Authority*, and also in clauses 112, 114 and 117, and that Motion No. 126 be withdrawn.

Is that agreed?

Some hon. members: Agreed.

*Government Orders**[English]*

Mr. John Bryden (Hamilton—Wentworth, Lib.): Mr. Speaker, it is a pleasure to speak on this bill. It is a very fine bill. At third reading I hope to speak at greater length than the five minutes I have allotted to me now.

This is a very good bill because it replaces, in my region, an appointed harbour commission with a port authority of seven to eleven directors. In Bill C-44 is built in an elaborate series of systems of accountability and checks and balances where a board of directors is required to file annual reports, make annual statements, disclose salaries, subject themselves to periodic audits and thus forth.

When I examined the bill, however, I found it deficient in one small corner. That was with respect to the appointment of the board of directors should a port authority replace the Hamilton Harbour Commission in my riding. As the bill is now composed, the board of directors would consist of a member appointed from the province, a member appointed by the minister and a member appointed by the municipalities that might be mentioned in the letters patent.

• (1915)

I would like to draw the attention of the House to the two specific sections which apply to my Motions Nos. 20 and 31. The one that clearly states the situation is the one which states that the letters patent shall set out the following information for the appointment of directors and it will be one individual appointed by the municipalities mentioned in the letters patent.

My amendment would simply add the word “each” between the words “by” and “the municipalities mentioned in the letters patent”. As the wording currently exists it gives the minister the opportunity to name only one director from all the municipalities mentioned in the letters patent. If the word “each” were inserted in this clause it would enable the minister to appoint as many directors representing as many municipalities that are mentioned in the letters patent.

That seems like a very small point and it is. But it is very significant in my riding because Hamilton harbour, as everyone knows, consists on one side of the city of Hamilton and on the north shore the city of Burlington. Historically the two communities have shared the harbour even though in the early days of the 19th century Hamilton grew much faster than Burlington and consequently most of the harbour facilities are on the south shore.

On the north shore there is a lot of residential development and some very fine shoreline wildlife and recreational facilities. Whatever happens to the port of Hamilton ultimately impacts on the city of Burlington. This amendment I proposed simply would guarantee the city of Burlington having representation on the new port

authority at such time as the Hamilton harbour commissioners are replaced by a port authority.

It is a matter of fairness but it is also a matter of relevance. I think the city of Burlington has now grown significantly in economic strength to stand on an equal footing with the city of Hamilton.

Therefore this is simply an amendment that will not affect other communities because the minister still retains the right to name which municipalities in the letters patent he thinks should have a membership on the board of directors. It does not impede his freedom of action when it comes to making a decision about port authorities.

Traditionally Hamilton harbour has always been called such by the people of Hamilton. However, on the north shore it has always been called Burlington bay. I think the bill is an opportunity to bring these two communities together on the management of a very important body of water which, indeed important to all residents of the Golden Horseshoe.

The city of Burlington to stress its feelings that it needed representation on any port authority board of directors, should a port authority be named for the Hamilton area, passed a resolution on Monday, February 10. This is Motion No. 24 from the council of the city of Burlington:

“Whereas Burlington and Hamilton each share approximately one half of the shoreline of Hamilton harbour; and whereas the harbour provides many beneficial uses and amenities for residents of Burlington; and whereas harbour governance in decision making is vitally important to the city of Burlington;

“Now therefore the city of Burlington hereby endorses the efforts of Mr. John Bryden, MP to seek amendments to the proposed Bill C-44, the Canada ports authority act, which would promote the creation of a Canada port authority for Hamilton harbour, governed by a board of directors which includes representatives of both the cities of Burlington and Hamilton”.

The House has an opportunity to listen to a municipality which is making a request to this Parliament. It is a very fair request. I hope the House will see fit to support the two amendments I brought forward at report stage.

• (1920)

The Acting Speaker (Mr. Milliken): Pursuant to the order adopted earlier this day, all questions are deemed put and divisions deemed deferred until Tuesday, April 15, 1997, at the conclusion of Government Orders.

Mr. Joe Comuzzi (Thunder Bay—Nipigon, Lib.) moved:

Motion No. 2

That Bill C-44, in Clause 2, be amended by replacing line 23 on page 2 with the following:

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“the port of Montreal and Lake Erie and Lake Ontario”

Motion No. 65

That Bill C-44, in Clause 67, be amended by adding after line 27 on page 41 the following:

“(a) ensure that all operational costs and short and long term maintenance costs are paid from operating fees or Seaway Investment Funds and not from the Consolidated Revenue Fund;”

Motion No. 66

That Bill C-44, in Clause 67, be amended by adding after line 29 on page 41 the following:

“(a.1) establish an independent Seaway financial agency that encourages users, shippers, the business community and communities adjacent to the Seaway to participate in the long term investments required by the Seaway to become more competitive;”

Motion No. 67

That Bill C-44, in Clause 67, be amended by replacing lines 31 and 32 on page 41 with the following:

“(b.1) equitably and fairly protect the rights and interests of citizens in communities adjacent to the Seaway or directly affected by the Seaway;”

Motion No. 68

That Bill C-44, in Clause 67, be amended by replacing lines 12 to 16 on page 42 with the following:

“(g) to form a bi-national operating agency to operate the Canadian U.S. Seaway on terms agreeable to both countries.”

Motion No. 69

That Bill C-44 be amended by adding after line 16, on page 42, the following:

“67.1 For the purpose of paragraph 67(f), “user” has the meaning as in section 4.”

Motion No. 70

That Bill C-44, in Clause 69, be amended by replacing line 10 on page 43 with the following:

“69. (1) The Governor in Council may direct the Author-”

Motion No. 71

That Bill C-44, in Clause 69, be amended by replacing, in the English version, line 20 on page 43 with the following:

“(1), the Governor in Council may transfer it to any other”

Motion No. 72

That Bill C-44, in Clause 69, be amended by replacing line 19 on page 43 with the following:

“transferred to the Governor in Council under subsection”

Motion No. 73

That Bill C-44, in Clause 69, be amended by replacing, in the English version, line 20 on page 43 with the following:

“(1), the Governor in Council may transfer it to any other”

Motion No. 74

That Bill C-44, in Clause 69, be amended by replacing line 27 on page 43 with the following:

“body other than the Governor in Council or any”

Motion No. 75

That Bill C-44, in Clause 69, be amended by replacing line 33 on page 43 with the following:

“(2) The Governor in Council may enter into agreements”

Motion No. 76

That Bill C-44, in Clause 69, be amended by replacing line 37 on page 43 with the following:

“with but not exclusive to a not-for-profit corporation that accords”

Motion No. 77

That Bill C-44, in Clause 69, be amended by replacing line 38 on page 43 with the following:

“a major role to Seaway users, as defined in section 4, in particular in”

Motion No. 78

That Bill C-44, in Clause 69, be amended by replacing, in the English version, line 2 on page 44 with the following:

“the Governor in Council considers it appropriate, with any”

Motion No. 79

That Bill C-44, in Clause 69, be amended by replacing line 6 on page 44 with the following:

“and conditions that the Governor in Council considers”

Motion No. 81

That Bill C-44, in Clause 69, be amended by replacing line 35 on page 44 with the following:

“(4) The Governor in Council may take any measures”

Motion No. 83

That Bill C-44, in Clause 69, be amended by replacing line 1 on page 45 with the following:

“(5) The Governor in Council may”

Motion No. 84

That Bill C-44 be amended by deleting Clause 70.

Motion No. 85

That Bill C-44, in Clause 71, be amended by replacing line 20 on page 45 with the following:

Motion No. 86

That Bill C-44, in Clause 72, be amended by replacing line 1 on page 46 with the following:

“72. (1) A corporation referred”

Motion No. 87

That Bill C-44, in Clause 72, be amended by replacing, in the English version, line 8 on page 46 with the following:

“(2) The corporation shall, at ”

Motion No. 88

That Bill C-44, in Clause 72, be amended by replacing, in the English version, line 17 on page 46 with the following:

“(3) The corporation shall”

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Motion No. 89

That Bill C-44, in Clause 73, be amended by replacing line 28 on page 46 with the following:

“73. (1) A corporation referred”

Motion No. 90

That Bill C-44, in Clause 74, be amended by replacing line 15 on page 47 with the following:

“74. (1) A corporation referred”

Motion No. 91

That Bill C-44, in Clause 76, be amended by replacing line 1 on page 48 with the following:

“76. (1) A corporation referred”

Motion No. 92

That Bill C-44, in Clause 77, be amended by replacing, in the English version, line 1 on page 49 with the following:

“(3) A corporation referred to”

Motion No. 93

That Bill C-44, in Clause 79, be amended by replacing line 21 on page 49 with the following:

“Property Act, the Governor in Council has the administra-”

Motion No. 95

That Bill C-44 be amended by deleting Clause 82.

Motion No. 96

That Bill C-44, in Clause 85, be amended by replacing line 12 on page 52 with the following:

“tration of the Governor in Council.”

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 80

That Bill C-44, in Clause 69, be amended by (a) replacing line 9 on page 44 with the following:

“or undertakings referred to in subsection (1) or (1.1);”

(b) replacing line 12 on page 44 with the following:

“undertakings referred to in subsection (1) or (1.1);”

(c) replacing line 19 on page 44 with the following:

“the Authority;”

(d) adding after line 22 on page 44 the following:

“(h) the imposition of additional obligations of financial management; and

(i) where the agreement is with a body referred to in subsection (2), the application of any of the provisions of this Part relating to an agreement with a not-for-profit corporation or other person referred to in that subsection.”

Motion No. 94

That Bill C-44, in Clause 79, be amended by replacing lines 21 to 23 on page 49 with the following:

“Property Act, the Minister or other member of the Queen’s Privy Council for Canada to whom federal real property is transferred under subsection 69(1) or (1.1) has the administration of the property.”

Motion No. 102

That Bill C-44 be amended by adding after line 39 on page 71 the following:

“127.1 The Governor in Council may, by regulation, provide that any provision of the St. Lawrence Seaway Authority Act and the regulations made under that Act, including provisions imposing punishment, apply to The Jacques-Cartier and Champlain Bridges Inc., with any modifications that the Governor in Council considers appropriate.

127.2 The Governor in Council may, by regulation, provide that any provision of the St. Lawrence Seaway Authority Act and the regulations made under that Act, including provisions imposing punishment, apply to The Seaway International Bridge Corporation, Ltd., with any modifications that the Governor in Council considers appropriate.”

Motion No. 115

That Bill C-44 be amended by adding after line 30 on page 84 the following:

“159.2 Schedule III to the Act is amended by adding the following in alphabetical order:

The Jacques-Cartier and Champlain Bridges Inc. Les Ponts Jacques-Cartier et Champlain Inc.

159.3 Schedule III to the Act is amended by adding the following in alphabetical order:

The Seaway International Bridge Corporation, Ltd. La Corporation du Pont international de la voie maritime, Ltée”

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 3

That Bill C-44 be amended by adding after line 4 on page 3 the following:

“2.1 For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the application of section 35 of the Constitution Act, 1982 to existing aboriginal or treaty rights of the aboriginal peoples of Canada.”

Mr. Joe Comuzzi (Thunder Bay—Nipigon, Lib.) moved:

Motion No. 4

That Bill C-44, in Clause 3, be amended by replacing line 8 on page 3 with the following:

“that provides equal treatment for all ports and harbours within Canada that meet the criteria set out in subsection 6(1) and that provides Canada with the marine”

Motion No. 6

That Bill C-44, in Clause 3, be amended by replacing lines 19 and 20 on page 3 with the following:

“vices are organized to satisfy the needs of users and the needs of the community in which a port or harbour is located and are available at reasonable cost”

Motion No. 7

That Bill C-44, in Clause 3, be amended by replacing line 32 on page 3 with the following:

“from users and the community in which a port or harbour is located;”

Motion No. 9

That Bill C-44 be amended by adding after line 37, on page 3, the following:

Government Orders

"3.1 For the purpose of paragraph 3(g), "disposition" means the offering of a port or harbour, first, to the province in which the port or harbour is located, second, to the municipality in which the port or harbour is located and, third, to any other bona fide purchaser who meets the criteria set out by the Minister."

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): moved:

Motion No. 5

That Bill C-44, in Clause 3, be amended by replacing line 9 on page 3 with the following:

"infrastructure that it needs and that offers effective support for the achievement of local, regional and national social and economic objectives and will"

[*English*]

Mr. Joe Comuzzi (Thunder Bay—Nipigon, Lib.) moved:

Motion No. 8

That Bill C-44, in Clause 3, be amended by replacing lines 34 and 35 on page 3 with the following:

"or otherwise, of certain ports and harbours and port and harbour facilities; and"

Motion No. 10

That Bill C-44, in Clause 4, be amended by replacing line 6 to 8, on page 4 with the following:

"“port” or “harbour” means the navigable waters under the jurisdiction of a port or harbour authority and the real property that the port or harbour authority manages,”

Motion No. 11

That Bill C-44, in Clause 4, be amended by replacing line 11 on page 4 with the following:

"“user”, in respect of a port or harbour means a person"

Motion No. 12

That Bill C-44, in Clause 5, be amended by replacing line 14 to 16, on page 4 with the following:

"5. (1) This part applies to every port or harbour authority set out in the schedule and to every port or harbour authority for which letters patent of"

Motion No. 13

That Bill C-44, in Clause 5, be amended by replacing line 21 to 23, on page 4 with the following:

"schedule by adding to it the names of port or harbour authorities to which letters patent are issued or by removing from it the names of port or harbour"

Motion No. 14

That Bill C-44, in Clause 5.1, be amended by replacing line 25 on page 4 with the following:

"5.1 (1) A port or harbour authority is an agent of Her"

Motion No. 16

That Bill C-44, in Clause 5.1, be amended by replacing line 28 on page 4 with the following:

"(2) A wholly-owned subsidiary of a port or harbour"

Motion No. 17

That Bill C-44, in Clause 6, be amended by replacing line 3 to 5, on page 5 with the following:

"stated in them for a port or harbour authority without share capital for the purpose of operating a particular port or harbour in Canada if the minister is"

Motion No. 26

That Bill C-44 be amended by adding after line 23, on page 6, the following:

"7.1 Notwithstanding any other provision of this Act and subject to subsection (2), a harbour commission established pursuant to the Harbour Commissions Act, The Hamilton Harbour Commissioners' Act or The Toronto Harbour Commissioners' Act, 1911 may continue to be governed by the statute pursuant to which it was established if

(a) it submits an application in writing to the Minister to that effect; and

(b) the Minister is satisfied that the port operated by the harbour commission meets the conditions set out in subsection 6(1).

(2) For greater certainty, a harbour commission that continues, under subsection (1), to be governed by the statute under which it was established may, at any time, apply for a continuance under subsection 8(1)."

Motion No. 27

That Bill C-44, in Clause 8, be amended by replacing line 24 on page 6 with the following:

"8. (1) If the Minister receives a request in writing from a harbour commission and is satisfied that the"

Motion No. 29

That Bill C-44, in Clause 8, be amended by replacing line 6 on page 7 with the following:

"1911, as the case may be, ceases to apply only if the harbour commissions, as referred to, make application to the Minister to change their status from a harbour commission to a port authority."

Motion No. 32

That Bill C-44, in Clause 12, be amended by replacing line 33 on page 11 with the following:

"Minister in consultation with users, as defined in section 4, selected"

Motion No. 118

That Bill C-44 be amended by deleting Clause 169.

Motion No. 119

That Bill C-44 be amended by deleting Clause 170.

Motion No. 120

That Bill C-44 be amended by deleting Clause 171.

Motion No. 122

That Bill C-44 be amended by deleting Clause 175.

Government Orders

[Translation]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ):
moved:

Motion No. 121

That Bill C-44 be amended by deleting Clause 172.

[English]

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 15

That Bill C-44, in Clause 5.1, be amended by (a) replacing lines 25 to 27 on page 4 with the following:

“5.1 (1) Subject to subsection (3), a port authority is an agent of Her Majesty in right of Canada only for the purposes of engaging in the port activities referred to in paragraph 24(2)(a).”

(b) replacing lines 30 and 31 on page 4 with the following:

“right of Canada unless, subject to subsection (3), (a) it was an agent of Her Majesty in right of Canada on June 10, 1996; and

(b) it is an agent of Her Majesty in right of Canada under an enactment other than this Act.

(3) A port authority or a wholly-owned subsidiary of a port authority may not borrow money as an agent of Her Majesty in right of Canada.”

Motion No. 28

That Bill C-44, in Clause 8, be amended by (a) replacing lines 24 to 26 on page 6 with the following:

“8. (1) Subject to subsection (1.1), if the Minister is satisfied that the criteria set out in subsection 6(1) are met, the Minister may issue in respect of one or more harbour commissions”

(b) adding after line 32 on page 6 the following:

“(1.1) The Minister may not issue letters patent of continuance in respect of The Hamilton Harbour Commissioners constituted pursuant to The Hamilton Harbour Commissioners' Act before that harbour commission applies for the issuance of those letters patent.”

(c) replacing line 39 on page 6 with the following:

“tion of the port authority;”

(d) replacing line 8 on page 7 with the following:

“authority that was one or more harbour commissions”

[Translation]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ):
moved:

Motion No. 18

That Bill C-44, in Clause 6, be amended by replacing line 11 on page 5 with the following:

“(c) is linked to a rail line or a major”

Motion No. 19

That Bill C-44, in Clause 6, be amended by replacing line 13 on page 5 with the following:

“(d) has a significant amount of traffic.”

[English]

Mr. John Bryden (Hamilton—Wentworth, Lib.) moved:

Motion No. 20

That Bill C-44, in Clause 6, be amended by replacing line 31 on page 5 with the following:

“(ii) one individual appointed by each of the”

Motion No. 31

That Bill C-44, in Clause 12, be amended by replacing line 26 on page 11 with the following:

“letters patent each appoint one individual.”

Mr. Svend J. Robinson (Burnaby—Kingsway, NDP) moved:

Motion No. 21

That Bill C-44, in Clause 6, be amended by replacing lines 31 to 33 on page 5 with the following:

“(ii) one individual appointed by the municipalities mentioned in the letters patent, with the exception of the port of Vancouver where there shall be two individuals appointed by the municipalities mentioned in the letters patent.”

Motion No. 22

That Bill C-44, in Clause 6, be amended by replacing lines 31 to 33 on page 5 with the following:

“(ii) two individuals appointed by the municipalities mentioned in the letters patent.”

Motion No. 35

That Bill C-44, in Clause 14, be amended by deleting lines 27 to 29 on page 12.

Mr. Joe Comuzzi (Thunder Bay—Nipigon, Lib.) moved:

Motion No. 23

That Bill C-44, in Clause 6, be amended by replacing line 6 on page 6 with the following:

“(h) the charge to the”

Motion No. 34

That Bill C-44, in Clause 13, be amended by replacing line 24 on page 12 with the following:

“port or to maritime trade. Competent individuals from the community shall not be excluded from acting as directors solely because they do not represent the transportation industry or business community.”

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 24

That Bill C-44, in Clause 6, be amended by (a) replacing lines 11 and 12 on page 6 with the following:

“good standing;

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(i) the extent to which the port authority and a wholly-owned subsidiary of the port authority may undertake port activities referred to in paragraph 24(2)(a) and other activities referred to in paragraph 24(2)(b);

(j) the maximum term of a lease or licence of federal real property under the management of the port authority;

(k) the limits on the authority of the port authority to contract as agent for Her Majesty;

(l) the limits on the power of the port authority to borrow money on the credit of the port authority for port purposes; and

(m) any other provision that the Minister”

(b) adding the following after line 15 on page 6:

“(3) Letters patent are not regulations within the meaning of the Statutory Instruments Act, but shall be published in the Canada Gazette and are valid with respect to third parties as of the date of publication.

(4) Any provisions of letters patent relating to the extent to which a port authority may undertake activities referred to in paragraph 24(2)(b) shall be approved by the President of the Treasury Board and the Minister of Finance before the letters patent are issued.

(5) Any provisions of letters patent relating to limits on the power of a port authority to borrow money on the credit of the port authority for port purposes shall be approved by the Governor in Council before the letters patent are issued.”

Motion No. 25

That Bill C-44, in Clause 7, be amended by replacing lines 16 and 17 on page 6 with the following:

“7. The Minister may, on the Minister’s own initiative and after consulting with the board of directors, or at the request of the board of directors,”

Motion No. 36

That Bill C-44, in Clause 14, be amended by replacing lines 42 to 44 on page 12 with the following:

“employee of a person who is a user of the port;”

Motion No. 38

That Bill C-44, in Clause 20, be amended by replacing lines 30 to 36 on page 14 with the following:

“20. (1) If a port authority or a wholly-owned subsidiary of a port authority is acting as agent of Her Majesty in right of Canada, the port authority or subsidiary must fulfil or satisfy an obligation or liability in respect of the port authority or subsidiary, as the case may be, arising from its exercise of, or its failure to exercise, a power or right or arising by operation of law. Her Majesty is not responsible for fulfilment or satisfaction of the obligation or liability, except that if a judgment or decision is rendered by a court of competent jurisdiction in respect of the obligation or liability, Her Majesty is responsible for satisfying the judgment or decision to the extent that it remains unsatisfied by the port authority or subsidiary at least thirty days after the judgment or decision becomes final.

(2) If a port authority or a wholly-owned subsidiary of a port authority is not acting as agent of Her Majesty in right of Canada, an obligation or liability in respect of the port authority or subsidiary, as the case may be, arising from its exercise of, or its failure to exercise, a power or right or arising by operation of law is an obligation or liability of the port authority or subsidiary, as the case may be, and not an obligation or liability of Her Majesty.

(3) A port authority and a wholly-owned subsidiary of a port authority shall fully maintain in good standing at all times the insurance coverage required by any regulations made under section 52.”

Motion No. 39

That Bill C-44, in Clause 20.1, be amended by replacing line 4 on page 15 with the following:

“authority or a wholly-owned subsidiary of a port authority.”

Motion No. 40

That Bill C-44, in Clause 21, be amended by replacing lines 5 to 13 on page 15 with the following:

“21. No payment to a port authority or a wholly-owned subsidiary of a port authority may be made under an appropriation by Parliament to enable the port authority or subsidiary to discharge an obligation or liability. This section applies

(a) even if the port authority or subsidiary is an agent of Her Majesty in right of Canada as provided under section 5.1; and

(b) notwithstanding any authority given under any other Act, other than an authority given under the Emergencies Act, any other Act in respect of emergencies or any Act of general application providing for grants.”

Motion No. 41

That Bill C-44, in Clause 22, be amended by replacing lines 14 to 18 on page 15 with the following:

“22. No guarantee may be given under the authority of Parliament by or on behalf of Her Majesty for the discharge of an obligation or liability of a port authority or a wholly-owned subsidiary of a port authority. This section applies even if the port authority or subsidiary is an agent of Her Majesty in right of Canada as provided under section 5.1.”

Motion No. 42

That Bill C-44, in Clause 24, be amended by (a) replacing lines 38 to 44 on page 15 with the following:

“(2) The power of a port authority to operate a port is limited to the power to engage in

(a) port activities related to shipping, navigation, transportation of passengers and goods, handling of goods and storage of goods, to the extent that those activities are specified in the letters patent; and

(b) other activities that are deemed in the letters patent to be necessary to support port operations.

(2.1) The activities that a port authority may engage in under paragraph (2)(b) may be carried on by the port authority directly or through a wholly-owned subsidiary of the port authority. The port authority and the subsidiary are not agents of Her Majesty in right of Canada for the purpose of engaging in those activities.”

(b) replacing lines 7 and 8 on page 16 with the following:

“(3.1) A port authority or wholly-owned subsidiary of a port authority that enters into a contract other than as agent of Her Majesty in right of Canada shall do so in its own name. It shall expressly state in the contract that it is entering into the contract on its own behalf and not as agent of Her Majesty in right of Canada. For greater certainty, the contracts to which this subsection applies include a contract for the borrowing of money.

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(3.2) The directors of a port authority shall take all necessary measures to ensure

(a) that the port authority and any wholly-owned subsidiary of the port authority comply with subsection (3.1); and

(b) that any subcontract arising directly or indirectly from a contract to which subsection (3.1) applies expressly states that the port authority or subsidiary, as the case may be, enters into the contract on its own behalf and not as agent of Her Majesty in right of Canada.

(3.3) If a port authority or a wholly-owned subsidiary of a port authority fails to comply with subsection (3.1), or the directors of a port authority fail to comply with subsection (3.2), the Minister of Finance, on the recommendation of the Minister of Transport, may impose any limitations that the Minister of Finance considers to be in the public interest on the power of the port authority or subsidiary to borrow money, including limitations on the time and terms and conditions of any borrowing.

(3.4) For greater certainty, the imposition under subsection (3.3) of limitations on the power of a port authority or subsidiary to borrow money or the imposition of other limitations or controls by the Minister, any other member of the Queen's Privy Council for Canada or the Governor in Council, through the issuance of letters patent, the granting of any approval or any other means, does not expand the extent, if any, to which the port authority or subsidiary is an agent of Her Majesty in right of Canada beyond that described in section 5.1.

(3.5) A port authority, or a wholly-owned subsidiary of a port authority, that enters into a contract as an agent of Her Majesty in right of Canada is bound by the contract and is responsible to Her Majesty for the performance of obligations to other parties under the contract."

(c) by replacing lines 21 to 26 on page 16 with the following:

"wholly-owned subsidiaries

(a) have and exercise only the powers authorized in the letters patent of the port authority;

(b) carry on only the activities authorized in the letters patent; and

(c) do not exercise any power or carry on any activity in a manner contrary to the letters patent or this Act.

(5.1) The Governor in Council may declare that any provision of this Part that applies only to port authorities applies to a wholly-owned subsidiary of a port authority. In that case, the provision applies to the subsidiary as if it were a port authority, with such modifications as the circumstances require."

(d) by replacing line 30 on page 16 with the following:

"on or exercised on December 1, 1995 but,"

(e) by adding after line 34 on page 16 the following:

(7) Unless the letters patent of a port authority provide otherwise, the port authority or a wholly-owned subsidiary of the port authority shall not

(a) cause the incorporation of a corporation whose shares on incorporation would be held by, on behalf of or in trust for the port authority or subsidiary;

(b) acquire shares of a corporation to be held on behalf of or in trust for the port authority or subsidiary;

(c) acquire all or substantially all of the assets of another corporation;

(d) sell or otherwise dispose of shares of a wholly-owned subsidiary of the port authority; or

(e) cause the dissolution or amalgamation of a wholly-owned subsidiary of the port authority."

Motion No. 47

That Bill C-44, be amended by adding after line 6 on page 18 the following:

"28.01 A person who deals with a port authority, acquires rights from a port authority or directly or indirectly acquires rights relating to a port authority is deemed to know the contents of the letters patent of the port authority."

Motion No. 48

That Bill C-44, in Clause 30, be amended by adding after line 9 on page 20 the following:

"(5) A port authority shall submit to the Minister its audited annual financial statements, and those of its wholly-owned subsidiaries, at least thirty days before the port authority's annual meeting."

"(6) A port authority shall provide the Minister with such accounts, budgets, returns, statements, documents, records, books, reports or other information as the Minister may require, including information about any contingent liabilities of the port authority or of its wholly-owned subsidiaries."

Motion No. 49

That Bill C-44 be amended by adding after line 37 on page 20 the following:

"32.1 A port authority shall annually submit to the Minister, in respect of itself and each of its wholly-owned subsidiaries, a five-year business plan containing such information as the Minister may require, including any material changes in respect of information provided in the previous business plan.

32.2 The financial statements and business plan of a port authority shall be prepared in a form that clearly sets out information about each of the activities of the port authority and its wholly-owned subsidiaries, with the information about port activities referred to in paragraph 24(2)(a) set out separately from the information about other activities referred to in paragraph 24(2)(b)."

Motion No. 58

That Bill C-44, in Clause 52, be amended by (a) replacing line 16 on page 34 with the following:

"hibition of uses, structures, works and operations;"

(b) replacing line 18 on page 34 with the following:

"any structure or work that interferes with navigation"

(c) deleting line 30 on page 34

(d) adding after line 36 on page 34 the following:

"(g) the stewardship obligation of a port authority in respect of federal real property under the management of the port authority;

Government Orders

(h) the insurance coverage that a port authority and a wholly-owned subsidiary of a port authority must maintain; and

(i) the imposition of obligations on a port authority or a wholly-owned subsidiary of a port authority, as an agent of Her Majesty in right of Canada, including any requirements for a port authority or a wholly-owned subsidiary of a port authority to indemnify Her Majesty.”

Motion No. 112

That Bill C-44, in Clause 141.1, be amended by replacing lines 26 to 34 on page 77 and lines 1 to 7 on page 78 with the following:

“Fraser River Port Authority
Administration portuaire du fleuve Fraser
Halifax Port Authority
Administration portuaire de Halifax
Montreal Port Authority
Administration portuaire de Montréal
Nanaimo Port Authority
Administration portuaire de Nanaimo
Port Alberni Port Authority
Administration portuaire de Port-Alberni
Prince Rupert Port Authority
Administration portuaire de Prince-Rupert
Quebec Port Authority
Administration portuaire de Québec
Saguenay Port Authority
Administration portuaire du Saguenay
Saint John Port Authority
Administration portuaire de Saint-Jean
Sept-Îles Port Authority
Administration portuaire de Sept-Îles
St. John’s Port Authority
Administration portuaire de St. John’s
Toronto Port Authority
Administration portuaire de Toronto
Thunder Bay Port Authority
Administration portuaire de Thunder Bay
Trois Rivières Port Authority
Administration portuaire de Trois-Rivières
Vancouver Port Authority
Administration portuaire de Vancouver
Windsor Port Authority
Administration portuaire de Windsor”

Motion No. 114

That Bill C-44, in Clause 159.1, be amended by replacing lines 15 to 30 on page 84 with the following:

“Fraser River Port Authority
Administration portuaire du fleuve Fraser
Halifax Port Authority
Administration portuaire de Halifax
Montreal Port Authority
Administration portuaire de Montréal
Nanaimo Port Authority
Administration portuaire de Nanaimo
Port Alberni Port Authority
Administration portuaire de Port-Alberni
Prince Rupert Port Authority
Administration portuaire de Prince-Rupert

Quebec Port Authority
Administration portuaire de Québec
Saguenay Port Authority
Administration portuaire du Saguenay
Saint John Port Authority
Administration portuaire de Saint-Jean
Sept-Îles Port Authority
Administration portuaire de Sept-Îles
St. John’s Port Authority
Administration portuaire de St. John’s
Thunder Bay Port Authority
Administration portuaire de Thunder Bay
Toronto Port Authority
Administration portuaire de Toronto
Trois Rivières Port Authority
Administration portuaire de Trois-Rivières
Vancouver Port Authority
Administration portuaire de Vancouver
Windsor Port Authority
Administration portuaire de Windsor”

Motion No. 117

That Bill C-44, in Clause 165.1, be amended by replacing lines 1 to 16 on page 86 with the following:

“Fraser River Port Authority
Administration portuaire du fleuve Fraser
Halifax Port Authority
Administration portuaire de Halifax
Montreal Port Authority
Administration portuaire de Montréal
Nanaimo Port Authority
Administration portuaire de Nanaimo
Port Alberni Port Authority
Administration portuaire de Port-Alberni
Prince Rupert Port Authority
Administration portuaire de Prince-Rupert
Quebec Port Authority
Administration portuaire de Québec
Saguenay Port Authority
Administration portuaire du Saguenay
Saint John Port Authority
Administration portuaire de Saint-Jean
Sept-Îles Port Authority
Administration portuaire de Sept-Îles
St. John’s Port Authority
Administration portuaire de St. John’s
Thunder Bay Port Authority
Administration portuaire de Thunder Bay
Toronto Port Authority
Administration portuaire de Toronto
Trois Rivières Port Authority
Administration portuaire de Trois-Rivières
Vancouver Port Authority
Administration portuaire de Vancouver
Windsor Port Authority
Administration portuaire de Windsor”

Motion No. 125

That Bill C-44 be amended by replacing the schedule on page 88 with the following:

Government Orders

"SCHEDULE (Section 5)

PORT AUTHORITIES

Fraser River Port Authority
Administration portuaire du fleuve Fraser
Halifax Port Authority
Administration portuaire de Halifax
Montreal Port Authority
Administration portuaire de Montréal
Nanaimo Port Authority
Administration portuaire de Nanaïmo
Port Alberni Port Authority
Administration portuaire de Port-Alberni
Prince Rupert Port Authority
Administration portuaire de Prince-Rupert
Quebec Port Authority
Administration portuaire de Québec
Saguenay Port Authority
Administration portuaire du Saguenay
Saint John Port Authority
Administration portuaire de Saint-Jean
Sept-Îles Port Authority
Administration portuaire de Sept-Îles
St. John's Port Authority
Administration portuaire de St. John's
Thunder Bay Port Authority
Administration portuaire de Thunder Bay
Toronto Port Authority
Administration portuaire de Toronto
Trois Rivières Port Authority
Administration portuaire de Trois-Rivières
Vancouver Port Authority
Administration portuaire de Vancouver
Windsor Port Authority
Administration portuaire de Windsor"

[Translation]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ):
moved:

Motion No. 33

That Bill C-44, in Clause 13, be amended by replacing lines 20 to 24 on page 12 with the following:

"in their field and relevant knowledge and extensive experience related to the management of a business and staff relations."

Motion No. 37

That Bill C-44, in Clause 14, be amended by replacing line 44 on page 12 with the following:

"individual user who has such a contract and refuses to comply with a code of ethics approved by the Minister;"

Motion No. 43

That Bill C-44, in Clause 24, be amended by replacing lines 40 to 44 on page 15 with the following:

"a port is limited to the power to engage directly or indirectly in the port activities of shipping, navigation and the handling and storage of goods as well as activities necessary to support port operations and a port authority may, in particular, by itself, or with other bodies, construct, maintain and operate highways, railways, ships, factories and equipment and may generally undertake activities and exercise the

powers it considers necessary for the effective administration, management and control of the port, the works and other properties placed under its authority."

Motion No. 44

That Bill C-44, in Clause 24, be amended by deleting lines 9 to 18 on page 16.

Motion No. 45

That Bill C-44, in Clause 24, be amended by replacing line 34 on page 16 with the following:

"authorized in the letters patent, and a port authority may, subject to the approval of the Minister, establish a subsidiary, whether or not the subsidiary is wholly-owned, if it considers this necessary for its operation."

Motion No. 46

That Bill C-44, in Clause 25, be amended by replacing lines 35 to 43 on page 16 and lines 1 to 11 on page 17 with the following:

"25. A railway that is constructed, purchased, leased, operated or maintained on lands managed, held or occupied by a port authority is subject to the Railway Safety Act but is not subject to Part III of the Canada Transportation Act."

Motion No. 127

That Bill C-44, in the Schedule, be amended by adding in alphabetical order the following:

"Trois-Rivières Port Authority Administration portuaire de Trois-Rivières"

[English]

Mr. Dennis J. Mills (Broadview—Greenwood, Lib.) moved:

Motion No. 126

That Bill C-44, in the Schedule, be amended by adding in alphabetical order the following:

"Toronto Port Authority
Administration portuaire de Toronto"

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 59

That Bill C-44, in Clause 54, be amended by adding after line 18 on page 36 the following:

"(6) The Governor in Council may, by regulation, repeal the designation of a public port or public port facility made or deemed to have been made under this section."

Motion No. 64

That Bill C-44, in Clause 65, be amended by replacing line 22 on page 41 with the following:

"modifications as the circumstances require, except that, in making those modifications to section 49, the references in that section to a person or member of a class of persons designated under subsection 49(1) shall be taken to be references to a person or member of a class of persons designated under this section."

Motion No. 97

That Bill C-44, in Clause 87, be amended by replacing line 13 on page 53 with the following:

"cations as the circumstances require, except that, in making those modifications to section 49, the references in that section to a person or member of a class of persons designated under subsection 49(1) shall be taken to be references to a person or member of a class of persons designated under this section."

Motion No. 98

That Bill C-44, in Clause 94, be amended by replacing line 9 on page 55 with the following:

"require, except that, in making those modifications to section 49, the references in that section to a person or member of a class of persons designated under subsection 49(1) shall be taken to be references to a person or member of a class of persons designated under this section."

Motion No. 107

That Bill C-44, in Clause 135, be amended by replacing lines 28 to 32 on page 75 with the following:

"36.01 No payment to an Authority may be made under an appropriation by Parliament to enable the Authority to discharge an obligation or liability. This section applies notwithstanding any authority given under any other Act, other than an authority given under the Emergencies Act or any other Act in respect of emergencies."

Government Orders

Motion No. 111

That Bill C-44, in Clause 138, be amended by replacing lines 28 to 31 on page 76 with the following:

“138. The Act is amended by replacing the name “Great Lakes Pilotage Authority, Ltd.” with the name “Great Lakes Pilotage Authority” in the following provisions:

- (a) subsections 46(1) and (2); and
- (b) the schedule.”

Motion No. 116

That Bill C-44 be amended by adding after line 35 on page 84 the following:

“160.1 Schedule IV to the Act is amended by adding the following in alphabetical order:

Great Lakes Pilotage Authority
Administration de pilotage des Grands Lacs”

Mr. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.) moved:

Motion No. 61

That Bill C-44, in Clause 61, be amended by adding after line 31 on page 38 the following:

“(2) A person or body who wishes to enter into an agreement under paragraph (1)(a) shall submit a proposal for the sale, management and operation of a public port or port facility to the Minister at least 60 days before an agreement would take affect.”

(3) The proposal may include, but is not limited to the following:

- (a) the objectives;
- (b) capital and operating plans;
- (c) fee and tariff schedules;
- (d) management and ownership structures; and
- (e) any other information and related documents the Minister considers appropriate.

(4) A person or body shall take all reasonable steps to bring notice of the proposal to the attention of persons likely to be affected by it at least 60 days before an agreement would take affect.

(5) An interested person may at any time within the notice period file an objection with the Agency that it is not in the public interest to dispose of all or part of the federal real property that formed part of a public port or public port facility, and the Agency shall consider the objection without delay and report its findings to the Minister who shall be governed accordingly.

(6) Section 40 of the Canada Transportation Act applies, with such modifications as the circumstances require, to every report of the Agency made under subsection (5) as if the report were a decision made pursuant to that Act.”

Motion No. 62

That Bill C-44, in Clause 61, be amended by replacing line 32 on page 38 with the following:

“(2) The agreements shall include ”

Mrs. Elsie Wayne (Saint John, PC) moved:

Motion No. 99

That Bill C-44, in Clause 96, be amended by adding after line 7 on page 56 the following:

“(4) The Minister shall ensure that, within one month from the day on which a port authority begins to operate a port, the port authority will provide officers for the enforcement of the laws of Canada or any province in so far as the enforcement of those laws relates to the protection under the administration of the port authority or to the protection of persons present on, or property situated on, premise under the administration of the port authority.

(5) In hiring police officers for the purpose mentioned in subsection (4), a port authority shall give preference to persons who have previously performed policing duties at the port.

(6) The Minister shall not issue letters patent to a port authority unless the Minister is of the opinion that the port authority will, within one month from the day on which the port authority begins to operate the port, make suitable arrangements with the local municipal police force to provide police officers for the purpose mentioned in subsection (4).”

Mr. Art Hanger (Calgary Northeast, Ref.) moved:

Motion No. 100

That Bill C-44 be amended by adding after line 7 on page 56 the following:

96.1(1) The Minister may designate any person as a peace officer for the purposes of law enforcement at a port authority, public port or any other location specified in this Act.

(2) Any person so designated shall enjoy all of the authority granted to members of the Canada Ports Police as defined under the Canada Ports Corporation Act, including the enforcement of this Act.

(3) All members of the Canada Ports Corporation Act are continued as member of the Canada Port Police pursuant to this Act.

(4) The Minister shall assess the costs associated with the deployment of the Canada Ports Police at a Port Authority and include them, or any portion of them, as a charge against the Port Corporation pursuant to section 6(h) of this Act.”

Motion No. 101

That Bill C-44 be amended by adding after line 9 on page 69 the following:

“119.1(1) Peace officers appointed and continued pursuant to Section 96.1 of this Act shall be subject to the provisions of the Public Service Staff Relations Act, the Financial Administration Act and are deemed to be employees of the Crown in Right of Canada.

(2) All collective agreements in force, and any grievances thereto, in relation to peace officers continued pursuant to section 96 of this Act are continued as if the Crown in Right of Canada was the original employer in the agreement.”

Mr. Joe Comuzzi (Thunder Bay—Nipigon, Lib.) moved:

Motion No. 104

That Bill C-44 be amended by adding after line 7, on page 74, the following:

“131.2 Section 18 of the Act is renumbered as subsection 18(1) and is amended by adding the following:

(2) An authority shall take measures to permit masters and officers to obtain pilotage certificates, to perform pilotage duties on the ship on which they are a regular member of the complement.

131.3 The portion of the English version of subsection 22(1) of the Act after paragraph (b) is replaced by the following:

issue a licence or pilotage certificate to the applicant, but no pilotage certificate shall be issued to an applicant therefor unless the Authority is satisfied that the applicant has a degree of skill and local knowledge of the waters of the compulsory pilotage area comparable to that required of an applicant for a licence for that compulsory pilotage area.

131.4 Section 22 of the Act is amended by adding the following after subsection (1):

(1.1) Determination of whether an applicant for a pilotage certificate has comparable skill and knowledge to an applicant for a licence, may be made through a ship simulator testing program or other mutually agreeable practical testing method.”

Motion No. 108

That Bill C-44 be amended by adding after line 11, on page 76, the following:

“136.4 Section 52 of the Act is amended by adding the following after paragraph (a):

(a.1) prescribing requirements for the approval of simulator training course or other mutually agreeable practical testing method for issuance of pilotage certificates;”

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.) moved:

Motion No. 105

That Bill C-44 be amended by adding after line 7, on page 74, the following:

Government Orders

"131.2 Section 18 of the Act is renumbered as subsection 18(1) and is amended by adding the following:

(2) An authority shall take measures to permit masters and officers to obtain pilotage certificates, to perform pilotage duties on the ship on which they are a regular member of the complement.

131.3 The portion of the English version of subsection 22(1) of the Act after paragraph (b) is replaced by the following:

issue a licence or pilotage certificate to the applicant, but no pilotage certificate shall be issued to an applicant therefor unless the Authority is satisfied that the applicant has a degree of skill and local knowledge of the waters of the compulsory pilotage area comparable to that required of an applicant for a licence for that compulsory pilotage area."

Motion No. 106

That Bill C-44 be amended by adding after line 7, on page 74, the following:

131.4 Section 22 of the Act is amended by adding the following after subsection (1):

(1.1) Determination of whether an applicant for a pilotage certificate has comparable skill and knowledge to an applicant for a licence, may be made through a ship simulator testing program or other mutually agreeable practical testing method."

Motion No. 109

That Bill C-44 be amended by adding after line 11, on page 76, the following:

"136.4 Section 52 of the Act is amended by adding the following after paragraph (a):

(a.1) prescribing requirements for the approval of simulator training courses or other mutually agreeable practical testing method for issuance of pilotage certificates;"

Motion No. 110

That Bill C-44, in Clause 137, be amended by replacing line 20 on page 76 with the following:

"area designations, ships or classes of ships subject to compulsory pilotage, dispute resolution mecha-

Hon. David Anderson (Minister of Transport, Lib.) moved:

Motion No. 103

That Bill C-44 be amended by adding after line 3 on page 72 the following:

"128.1 A review of the provisions and operation of this Act shall be completed by the Minister during the fifth year after this Act is assented to. The Minister shall cause a report of the results of the review to be laid before each House of Parliament on any of the first fifteen days on which that House is sitting after the report is completed."

Motion No. 123

That Bill C-44, in Clause 176, be amended by replacing lines 14 to 17 on page 87 with the following:

"this section comes into force,

(a) subsection 6(3) of this Act is replaced by the following:

(3) Letters patent are not regulations within the meaning of the Regulations Act, but shall be published in the Canada Gazette and are valid with respect to third parties as of the date of publication.

(b) subsection 40(9) of this Act is replaced by the following:

(9) Land use plans are not regulations"

Motion No. 124

That Bill C-44, in Clause 177, be amended by replacing lines 19 to 28 on page 87 with the following:

"177. (1) Subject to this section, this Act comes into force 150 days after the day on which it receives Royal Assent unless, before that day, the Governor in Council, by order, declares that this Act or any provision of this Act comes into force on a day or days to be fixed by order of the Governor in Council.

(2) Subject to subsection (3), Part III, or any of its provisions, and sections 127.1, 127.2, 130, 138, 139.1, 140, 141, 147.1, 148, 150, 151, 152, 154, 155, 159.2, 159.3, 160, 160.1, 163, 164, 165, 169 to 172, 174 and 175 come into force on a day or days to be fixed by order of the Governor in Council.

(3) Sections 169 to 171 may not come into force before letters patent of continuance are issued under section 8 in respect of The Hamilton Harbour

Commissioners constituted pursuant to The Hamilton Harbour Commissioners' Act."

Mr. Kilger: Mr. Speaker, I believe indicated at the beginning of the debate that I would be seeking unanimous consent to table an amendment to to Bill C-44. I wonder if you would seek the consent of the House so that I might table an amendment.

The Acting Speaker (Mr. Milliken): The chief government whip has made a proposal that he be permitted to table an amendment to the legislation. Is there unanimous consent that he proceed?

Some hon. members: Agreed.

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, I need only mention to the House that a predecessor of many years ago, the late Hon. Lionel Chevrier, former Minister of Transport, was known as Mr. Seaway back home in the seat of Cornwall, my home town that proudly took the title of the Seaway City. I have a great deal of interest in the matter before the House, particularly as Bill C-44 pertains to the St. Lawrence Seaway Authority. Therefore I move:

That Bill C-44 be amended by adding after line 33 on page 52 the following under the title of "corporate services":

85.1(1) Until the dissolution of the authority by virtue of section 85, the Corporate Services of the authority shall be located in Cornwall, Ontario.

(2) Upon the dissolution of the authority, the administrative services; audit services; finance and accounting; human resources services; information technology services; marine services; operation services and maintenance services; and, tolls and statistics offered in respect of the operations of the St. Lawrence Seaway shall be offered in Cornwall, Ontario.

The Acting Speaker (Mr. Milliken): Is it agreed that Motion No. 128 will be added to the list of those on which divisions have been demanded and deferred and that it will be deferred with the others until tomorrow at 5.30 p.m.?

Some hon. members: Agreed.

(Divisions deemed demanded and deemed deferred.)

[Translation]

The Acting Speaker (Mr. Milliken): It being 7.23 p.m., the House stands adjourned until 10 a.m. tomorrow, pursuant to Standing Order 24(1).

(The House adjourned at 7.23 p.m.)

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Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

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