



CANADA

House of Commons Debates

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OFFICIAL REPORT
(HANSARD)

Wednesday, November 6, 1996

Speaker: The Honourable Gilbert Parent

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OFFICIAL REPORT

On page 6092 of *Hansard* of November 5, 1996 under the heading Government Orders, before Mr. MacDonald's speech should be inserted the following:

Hon. Douglas Peters (for the Minister for International Trade, Lib) moved that the bill, as amended, be concurred in.

(Motion agreed to.)

The Speaker: When shall the bill be read the third time?
By leave, now?

Some hon. members: Agreed.

Mr. Peters (for the Minister for International Trade, Lib) moved that the bill be read the third time and passed.

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HOUSE OF COMMONS

Wednesday, November 6, 1996

The House met at 2 p.m.

Prayers

The Speaker: As is our practice on Wednesdays, we will now sing O Canada, and at great expense we have brought in the talented member for Kindersley—Lloydminster.

[Editor's Note: Whereupon members sang the national anthem.]

STATEMENTS BY MEMBERS

[English]

AGRICULTURE

Mr. John Maloney (Erie, Lib.): Mr. Speaker, I would like to congratulate the Niagara Federations of Agriculture on their award winning educational video entitled "Where Does it All Come From?" This 13-minute children's video was recently honoured at the TVO Telefest awards gala in Toronto where it was awarded first prize in the instructional category.

The video offers children a fascinating insight into where our food comes from. The film represents a true picture of agriculture in the nineties and deals with the dairy, fruit and sheep industries.

The video was produced in partnership with the Niagara College television arts program and many talented Niagara peninsula residents contributed to its outstanding success. Lucy Decandido, a Niagara College graduate, filmed and edited the piece as her third-year project. The narration was provided by 12-year-old Keely Carter of College Street Public School in Smithville.

As one participant said: "Agriculture has a very positive story to tell and it is up to the agricultural community to tell it".

I compliment the Niagara Federations of Agriculture on their initiative to sponsor a copy of the video and teacher's kit for every elementary school in Niagara.

[Translation]

OSTEOPOROSIS

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, November is osteoporosis awareness month. This disease, which makes bones more fragile and fracture-prone, affects more than 1.5 million people, primarily women, one woman in four and one man in eight in Quebec and in Canada.

This silent and stealthy disease has a high social cost. More than a billion dollars are spent annually on hospitalization, ambulance services and drugs to treat osteoporosis-related injuries. The total over 25 years will be in excess of \$32 billion.

The physical and emotional suffering and the costs related to osteoporosis could be reduced, however, simply through prevention, particularly information, consciousness-raising and a healthy calcium-rich diet.

Osteoporosis is surely a good example of the old adage: "an ounce of prevention is worth a pound of cure".

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[English]

SOFTWOOD LUMBER

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, a few days ago some softwood lumber mills across Canada found out that the government is putting them out of business. They were expecting to have their exports to the United States cut by 10 per cent. They were not expecting to have to close their doors altogether.

The lumber deal the government signed with the United States is a death warrant for some small mills in this country. The industry would have been better off with the American countervailing duty at the border. The mills would have survived and then we would be well on our way to a settlement with the World Trade Organization, a solution that we recommended to the government seven months ago.

This problem has developed because the Liberal government has been afraid to take on the United States. It has buckled to American

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pressure. Unfortunately, the price will be paid by employees and owners of small mills across Canada.

So much for the red book. Jobs, jobs, jobs will be lost, lost, lost.

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CAMEROUN

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, I met recently with representatives of the SDF of Cameroun, a sister party of the NDP in the Socialist International, and from them I learned that many abuses are currently taking place without an appropriate international response, considering that the democratic institutions now in operation in the Cameroun are a result of conditions set by the IMF.

For example, only a small percentage of the eligible electorate is registered and in the last election there were blatant episodes of vote rigging, ballot tampering and the overturning of results that were not favourable to the governing party.

One wishes that the IMF enforced its democratic and political requirements as strongly as it does its structural adjustment and economic requirements.

I call on the Canadian government to use its membership in the many international forums of which it is a member to engage constructively with the Cameroun to improve its democratic institutions. Strengthened democratic structures will be well worth the investment if they can prevent the kind of bloodshed and civil strife we are seeing in parts of central Africa today.

* * *

POSTAGE STAMPS

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, I rise today on behalf of my four-year-old daughter, her friends and, indeed, all of the children of Winnipeg who are outraged by the unwarranted attack by the member for Regina—Qu'Appelle on Winnie the Pooh. The member charges that by profiling Winnie the Pooh on our stamps we are in danger of losing our identity as a nation.

Winnie the Pooh was born in White River, Ontario. He is named after the great city of Winnipeg. His origins have been celebrated for decades in Canada and there are statues to him in three Canadian cities.

Like a great many other Canadians, our Winnie has made it big on the international stage. He won an Oscar and has become one of the most popular children's entertainers in the world.

Contrary to the statement by the member that we are losing our identity, we are in fact enhancing it. We are celebrating a Canadian who brings joy to the hearts of children around the world.

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SUICIDE PREVENTION

Mr. Jack Iyerak Anawak (Nunatsiaq, Lib.):

[Editor's Note: Member spoke in Inuktitut.]

[English]

Another young suicide victim was buried in Rankin Inlet last weekend. Another bright and capable youth who could have contributed greatly to his community and to all of Nunavut took his own life and was lost to us forever.

There have been too many deaths. Our youth, our best and brightest hopes for the future, are killing themselves at shocking rates. It has to stop.

I call on all the people of Nunavut, young and old, individuals and communities, to come together to make suicide prevention a priority. Our youth need us and we need them.

[Editor's Note: Member spoke in Inuktitut.]

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[English]

RAF FERRY COMMAND

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, next Monday Canadians will pause, as we do each year, to remember those who defended us in the battle against fascism; those who fought for us in the interests of democracy and freedom.

● (1405)

We will remember our family, our friends, our neighbours, those in zones of conflict in Europe, Africa, the Middle East and Asia. They met the enemy on the high seas, in the air and on the ground, worked in the factories, volunteered in their communities and gave the best of themselves. Many made the ultimate sacrifice so that we may live in peace.

Let us not forget the contribution of even one Canadian in the monumental struggle against hatred, racism, tyranny. All deserve our thanks and recognition.

Veterans of the RAF Ferry Command, no less than veterans of the army, navy, air force or merchant marine, deserve recognition for the risks they took, sacrifices they made and the lives they lost in our defence.

All those Canadians who gave so much in our time of need were and are a model for all of us, both at home and around the world.

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[Translation]

THE HISPANIC COMMUNITY IN CANADA

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, last week-end, I took part in the annual assembly of the Canadian Hispanic Congress in Vancouver.

The hispanic community is made up of some 300,000 men and women who were born in Latin America or Spain. They came here to escape persecution, dictatorship or civil war, or merely in search of a better life.

Canadians and Quebecers of hispanic origin, of which I am one, constitute a relatively new, dynamic and growing community, with an important contribution to make to their host society. Quebec has welcomed some 80,000 Latin Americans with warmth and generosity. They have integrated well with this society, with which they have characteristics in common, due to their shared latin heritage.

As the sole member of this House of hispanic origin, I wish to greet the members of this ethno-cultural community, the executive of the Canadian Hispanic Congress, and particularly its president, Bernardo Berdichewsky.

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[English]

LIBERAL PARTY

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, the Liberals have been patting themselves on the back lately, claiming that they have kept most of their red book promises.

The facts are that of the 198 promises made in the red book, only two had a major impact on the voters and, indeed, were major reasons for voters giving their trust. The failure to deliver on jobs, jobs, jobs as well as scrap, abolish and kill the GST are the two broken promises Canadians will remember in the next federal election.

On the GST, the Liberals had no real plan to replace the \$15 billion in revenue so they could scrap it. They just made a hollow promise to get elected. We are still paying the GST.

On job creation, the Liberals had no plan to help the private sector create jobs. There are as many people unemployed now as when they made their hollow jobs promise to get elected: 4.1 million unemployed Canadians is totally unacceptable.

The red book was a fairy tale that should have begun "Once upon a time". There will be a happy ending, however, with the defeat of those who make broken promises and the election of a party that gives a guarantee with its promises.

[Translation]

BRITISH COLUMBIA'S FRANCOPHONE COMMUNITY

Mr. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, Wilfrid Laurier was elected Prime Minister of Canada in June. A Liberal, he is filled with enthusiasm and determination. That was 100 years ago, in 1896.

He used to say how proud he was to be French-Canadian. And it is this pride I found in Vancouver when I met with British Columbia's francophone community in mid-October.

The 70,000 francophones living in B.C. need our help. We must help them get the access they need to French-language radio and television programming.

It is this pride to be French-Canadian they are demanding. I join with my Liberal friends, my Bloc colleagues, I am sure, and my friend, the hon. member for Beauce, in calling on Heritage Canada to set aside a special budget for B.C.-oriented programming.

Wilfrid Laurier, we salute you and assure you that the 1 million French-Canadians outside Quebec have a strong voice in this Parliament.

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[English]

SMOKEY SMITH

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, this is Veterans Week, from November 3 to 11. It is a fitting time to pay tribute to one of Canada's veterans, who is also one of my constituents, Smokey Smith.

Born in New Westminster, B.C. and enlisting in the Seaforth Highlanders Regiment in March of 1940, Smokey Smith is one of only two living Canadians who have received Canada's and the Commonwealth's highest decoration for bravery in action, the Victoria Cross.

Fifty-two years ago Private Smith's regiment headed an attack across the Savio River in Italy. It is here Private Smith earned his Victoria Cross, almost single-handedly turning back an enemy counter attack. As a result, his battalion was able to consolidate a bridgehead, vital to the success of the overall Canadian military operations in the region.

● (1410)

This House and its members salute Smokey Smith today. We cherish the uncommon valour and the personal commitment and sacrifice of Private Smith and of all our veterans who served Canada in two world wars and also in the United Nations military operations and peacekeeping missions around the world.

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ZAIRE

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, it is with a great sense of urgency that I rise to speak about the situation in Zaire.

Canadians are deeply concerned by the violence there. This part of the world is in great danger if nations and people of goodwill do not step in and prevent this violence.

I encourage all actions to ensure the safety of refugees in Zaire and to establish and protect a safe zone for aid organizations to help ease the suffering that has occurred and is occurring.

We should see these as real people, real individuals, not political issues and not a political game. I encourage all members to speak out not only among ourselves but also among our constituents. I ask all Canadians to support whatever efforts that are necessary and given by our foreign affairs and others as their work is reaching a solution in that area.

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[*Translation*]

U.S. GOVERNMENT

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, on behalf of the Bloc Québécois, I wish to congratulate U.S. President Bill Clinton on his re-election.

Now that the election is over, we hope that the President will again have some elbow room to address the many international issues that were left on the backburner, especially those with Canada, on a more solid and conciliatory basis.

Let us not forget that several trade disputes remain unsettled. This includes the Helms-Burton law, whose outright withdrawal we are calling for, as well as the disputes regarding the tariffs on dairy, egg and poultry products.

Furthermore, we believe Canada could take advantage of its special relationship with its American neighbour to help revive the Middle East peace process and favour the rapid establishment of an international force that would open the eagerly awaited humanitarian corridors in eastern Zaire.

As the member for Bellechasse, I wish to thank the people of the state of Maine for voting in a referendum to allow the rational development of their forests to continue.

[*English*]

MERCHANT MARINERS

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, as we prepare to once again officially commemorate the valiant sacrifices made by veterans of our navy, army, air force and peacekeepers, we pause to pay special tribute to Canadian merchant mariners, the fourth arm of Canada's services.

Their vital role in carrying supplies to our troops in battle was fundamental to allied victory.

Terrible risks were a fact of life. They faced brutal U-boat attacks, surface raiders and marauding aircraft, all attempting to interrupt this lifeline to our troops.

Merchant mariners faced severe conditions on board, shipwreck in a cruel, cold sea often covered in blazing fuel and a prisoner of war camp if they were able to reach land. Sixty-seven ships were lost and on average when a ship went down less than half the crew survived.

Four hundred died during the great war and of the 12,000 merchant mariners who risked their lives to preserve cherished freedoms in the second world war, over 1,400 died.

Despite atrocious conditions, they did not shirk their duty. Thus, it is our duty to remember the contributions and sacrifices they made; a debt too great to ever be forgotten.

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[*Translation*]

SOFTWOOD LUMBER INDUSTRY

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, on April 2, our government reached an agreement with the American government over the softwood lumber issue. This agreement will give our industry immunity from legal action by the American industry for the next five years.

For our part, we have agreed to limit at 14.7 billion board feet per year the amount of softwood lumber shipped to the U.S. duty-free. To meet this commitment, we have put in place a quota system that was generally well received by the industry in the four main lumber-producing provinces.

This system will be reviewed annually and will adjust to changes in the industry and to market conditions.

The quota system is not a limit imposed on producers. In fact, it guarantees extended access to the U.S. market.

Oral Questions

[English]

REMEMBRANCE DAY

Mr. Leonard Hopkins (Renfrew—Nipissing—Pembroke, Lib.): Mr. Speaker, Monday, November 11, will be Remembrance Day and hundreds of thousands of people from across Canada will gather at cenotaphs to remember the 115,000 young Canadians who were killed in World War I and World War II, the Korean War and peacekeeping duties, plus remembering those hundreds of thousands who came home.

● (1415)

They gave up their future in Canada. They fought so that we could live in peace and democracy. They fought so that we can sit in this Parliament today and express the views of Canadians from across this great land of ours in a free society.

They left their farms, their businesses, their high schools, their universities. They left their loved ones behind. This is something we should never forget. They went to do their duty in a cruel world.

Today we can never take things for granted. If there is anything that we should implant in our own mind, in the minds of every Canadian citizen and everyone in the free world, do not forget them.

On Monday, let us remember them. Lest we forget.

The Speaker: Before going to question period we are going to have a little bit of a change. I am going to recognize the Minister of Veterans Affairs.

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VETERANS

Hon. Lawrence MacAulay (Secretary of State (Veterans)(Atlantic Canada Opportunities Agency), Lib.): Mr. Speaker, I would like to ask the House for unanimous consent for a minute of silence in respect of our Canadians veterans who paid the ultimate sacrifice.

The Speaker: Is there unanimous consent?

Some hon. members: Agreed.

[Editor's Note: The House stood in silence.]

The Speaker: Thank you, my colleagues.

ORAL QUESTION PERIOD

[Translation]

THE GOVERNMENT OF THE UNITED STATES

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, President Clinton's election was hailed by the Canadian government as

auguring well for the future. It is a pleasure to join the government in congratulating President Clinton, and we wish to extend our best wishes as well.

In this connection we would like to ask the Prime Minister if he intends to take advantage of the good relationship he has with President Clinton to intervene immediately and effectively against the Helms-Burton law, which is a major irritant, not only for Canada but also for many other countries, including members of the European community.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, during the lunch break, I had a chance to talk to President Clinton and, speaking on behalf of the Parliament of Canada and all Canadians, I offered him my sincere congratulations and my best wishes for a second term.

As you know, we have a good relationship with the U.S. government at this time. We did not have a very long discussion, but I had a chance to mention some of the irritants that we would like him to monitor.

I mentioned Helms-Burton, and I also asked for his co-operation on the matter of Zaire, Rwanda and Burundi. He told me he was watching this matter very closely, and we are to have another talk within a few days. In any case, in two weeks we will be in Manila together. We will be meeting again.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I want to thank the Prime Minister for his reply. I felt it was important to raise these questions.

I would like to ask the Prime Minister whether he also intends to discuss with the President, on very short notice, the unfortunate habit of the United States to be overly protectionist, which creates problems and goes against the spirit of the Free Trade Agreement, as in the case of softwood lumber, for instance.

Did the Prime Minister bring this up or does he intend to, very shortly?

● (1420)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I think that if we look at the various subjects at issue between Canada and the United States, there are no major, pressing problems, with the exception of Helms-Burton law.

As for softwood lumber, we have concluded an agreement with them. We have agreed to impose a limit on exports. The Minister for International Trade has concluded an agreement, after consulting with the provincial governments. As far as the United States and we are concerned, the matter was settled by this agreement.

If there are any other problems the hon. member wishes to raise, I will take note of them and mention them to the President when we meet. The softwood lumber question has already been settled, and

Oral Questions

we are now putting the requisite mechanisms in place to implement the agreement.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, since the Prime Minister seems to be open to suggestions, I would like to mention that the U.S. pensions issue is disturbing many Quebecers.

The official opposition asks the Prime Minister to raise with President Clinton those issues that are troubling our people and affect them directly.

Furthermore, I would ask the Prime Minister this: Following the preliminary ruling made in the controversial eggs, milk and poultry question, a ruling that is to be confirmed very shortly, I would like to ask the Prime Minister whether he intends to make representations to the U.S. president before it is too late, before Canada is forced into the same kind of situation as in the case of softwood lumber, in other words, before we are forced to negotiate an agreement at our expense. The softwood lumber agreement is far from perfect and puts a heavy burden on lumber producers. The agreement on milk, eggs and poultry might go the same way, unless the Prime Minister quickly and proactively intervene with the President.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as far as the eggs and poultry issue is concerned, we have discussed this problem several times with the Americans. Our position is clear. We have determined that the marketing boards that exist in Canada have a right to exist under the agreements we signed with them and under the GATT agreements that were renegotiated a year ago.

We believe that our position complies with the agreements we have with the Americans. If they want to challenge these agreements, legal recourse is provided under NAFTA and also under the GATT rules, so that we can defend our rights. Our positions are clear, and at this moment, these agreements between our two countries exist. They have been duly signed.

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FOREIGN AFFAIRS

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, my question is also for the Prime Minister.

Beyond trade-related matters, there is also a number of urgent issues on the international scene. Again, Canada can play a positive role, including through its relations with the United States.

Following President Clinton's re-election yesterday and the recent Nairobi summit, will the Prime Minister propose to the American president to submit to the Security Council a joint request from Canada, the United States and France to quickly put in place a multinational humanitarian force to put an end to the terrible plight of Zairian refugees?

We have nothing against diplomacy but, as Bernard Kouchner pointed out again this morning, time is of the essence and people are dying.

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada showed leadership and initiative regarding African regional leaders. Indeed, we are prepared to carefully examine the African leaders' proposals for a safe haven, a corridor and the presence of neutral forces. Ambassador Chrétien's special mission will provide us with an opportunity to immediately review these proposals and to determine the types of resources and commitments required from the international community as a whole.

• (1425)

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, there is another major issue regarding foreign affairs.

Given that tension is rising in the Middle East, does the Prime Minister intend to discuss, with the American president, the urgent need to revive the peace process between Israel and the Palestinian authority, before the current crisis degenerates even more?

[English]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, beginning on Tuesday next week I will be in Cairo at the middle eastern major summit meeting. I hope to have direct discussions with the foreign minister of Israel and the representative of the Palestinian authority as well as other leaders from the Middle East.

We will certainly make very clear our strong support for continuation of the peace process, our commitment to help them develop economically and to provide the kind of support we need internationally on a multilateral basis to search for the right solutions for peace in that area.

I will be very pleased to report to the House after that trip.

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ETHICS

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, for months the Prime Minister has made frequent references to his special ethics guidelines for cabinet ministers. Then he says that he cannot release them because they are cabinet confidential. Now according to the CBC and his own ethics counsellor, these special ethics guidelines for cabinet ministers do not even exist. It seems that the Prime Minister's guidelines are imaginary like his homeless friends.

Will the Prime Minister clear the air and simply release his much touted ethics guidelines for cabinet ministers to this House?

Oral Questions

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have seen the fresh start and it is not starting very well.

In every case that comes before this House the Prime Minister has to judge the facts and the facts are public. I have spoken about the case that was mentioned which I discussed with the ethics counsellor.

I have said in the House many times and I will repeat again that the directives written by the Prime Minister for his ministers are directives of the Prime Minister to the ministers for their conduct. The conduct of a minister is a question of public record. I take the responsibility if somebody questions the conduct of ministers.

In the case of the secretary of state, I have accepted her word and everything is in order at this moment. I do not have anything to add, but had the leader been here last week he would have heard the same—

The Speaker: Colleagues, I would ask you to refrain from speaking about who is here and who is not here at whatever time.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, I have been out talking to real Canadians, not imaginary ones.

This issue really should not be that difficult. The Prime Minister has repeatedly told this House that he has special ethics guidelines for cabinet ministers. The CBC and the Prime Minister's own ethics counsellor say that they do not exist.

Either it is one thing or the other. Do these special guidelines exist? If they do and the Prime Minister assumes responsibility for ethics with his ministers, will he table those guidelines in this House?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I repeat that I have guidelines for ministerial conduct which have been transmitted to the ministers. They have read them and they follow them.

An hon. member: Did they follow them?

Mr. Chrétien (Saint-Maurice): Yes, and they follow them very well.

• (1430)

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the Prime Minister seems to regard ethics as a private matter between himself and the ministers. He will not release the guidelines to the House and the public, and he only uses them to his own political advantage, like when he had to sack the former minister of defence.

The ethics of elected officials are public business. For the public to judge whether the conduct of a cabinet minister is ethical, they have to know the standards against which they are being judged.

If the Prime Minister really does believe in open government and a higher standard of ethics, why does he not table in this House his special ethics guidelines for cabinet ministers?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the conduct of the minister is public.

We have been in government for three years. Never before has the ethics of a government been challenged so little by the public because the ministers are acting honourably in every case. I am not afraid to stand here with my colleagues who have shown in the last three years that we in this government have extremely high standards. That is why this government is respected by the Canadian public.

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[Translation]

SECURITIES

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the last Liberal report of the Standing Committee on Finance contains the following phrase, and I quote: "The Committee encourages the government to continue working with interested provinces in order to set up a Canadian securities commission" But, in this morning's papers, we learned that a number of provinces think the project is on the way out.

My question is for the Minister of Finance. Will he confirm that his government is dropping the project to set up a Canadian securities commission, knowing that it is unanimously opposed by economic, financial and political circles in Montreal and throughout Quebec?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, at the request of several provinces, the federal government is examining the possibility of setting up a Canadian securities commission. We are negotiating with these provinces. It is not the federal government's intention to impose it on anyone.

It is certainly our intention to make it easier to put the industry in a position of being able to compete with the financial industry outside our borders.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the very least that can be said in all this is that the Minister of Finance is completely confused. The first project was for a Canadian securities commission that would replace all the provincial commissions.

Second, faced with mounting opposition to the project, they decided it would be optional. Then there were, in theory, not ten securities commissions but 11. This morning, in the newspaper, the minister said: "This could perhaps be cut down to two or three". This is just so much stalling around. It is what comes of not looking after your own affairs.

Oral Questions

Since nobody in Quebec wants a Canadian securities commission, since opposition is growing in British Columbia and Alberta, and since there is a viable alternative to this commission known as the SEDAR system, now being developed and put in place by provincial commissions, why is the finance minister so bent on pushing ahead with this project, which would be devastating for the economy of Montreal?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the member seems a bit confused.

[English]

What has happened is that the federal government at the request of a number of provinces has sat down and looked at the possibility of creating a national securities commission. The major purpose of this is to ease the issuance of prospectuses, a great deal of which will benefit the business community in Montreal, in Quebec and in Vancouver and all of British Columbia.

I find it very hard to understand that the hon. member opposite would say to the federal government that when the provinces want to rationalize their operations, make them more effective, make them more competitive, the federal government should not sit down with them and try to do that. It is very clear that the real purpose the member has is to not make the federation work, is to not make Canada competitive. That will not work out to the benefit of anybody, including the business community in Montreal.

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ETHICS

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, the appointment of cabinet ministers to their posts is the responsibility of the Prime Minister and my question is directed to him. He has created a bit of a conundrum here by saying that the code has been read by his ministers, which shows that it is in printed form, yet the ethics counsellor says that it does not exist.

• (1435)

My question relates to a code that we do know exists. The 1994 code states that "a public office holder shall not directly or indirectly use or allow the use of government property of any kind—for anything other than officially approved activities".

Yesterday the President of the Treasury Board said quite clearly that the whited out portions on the case in question were for personal expenditures.

Is the Prime Minister prepared to admit at least that the secretary of state clearly breached that section of the code?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, I can only repeat what I said yesterday.

Under section 19 of the Access to Information Act, a government institution shall not disclose personal information. The Access to Information Act goes on to say that the definition of personal information stated under the Privacy Act applies. Personal financial transactions are included under personal information under the Privacy Act. Therefore, these things should not be given for public scrutiny because they are protected under the Privacy Act. It is clear and that is the end of the matter.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, the President of the Treasury Board has just confirmed what we believe to be true, which is that all of these things which are whited out are personal. All we want is accountability of those personal amounts so we can estimate their value.

An ordinary Canadian caught robbing a bank would not be allowed to simply return the money and walk away on the grounds that he was not committing the offence in bad faith or for personal financial benefit and intended to reimburse the bank at some future date.

In breaching the code and chapter 2-7 of the Treasury Board guidelines, the junior minister committed a serious offence, one which would have resulted in severe discipline for any other member of the department.

Does the Prime Minister's talk about a high standard of ethics not demand that these guidelines and code be enforced?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, once again the rule is clear. Government travel cards should be used for official government expenses. When they are not, when they are used for personal expenses, then the card holder must reimburse all personal expenses.

This is exactly what the secretary of state did. She has reimbursed all the expenditures which were made with the government travel card. In this case, she has followed the rules and has presented excuses for what she has done, but what she has done is considered to be under the rules.

Once again if we were to have a beer or see a film in our hotel room which is on an account and we pay with a government card, the rules say that we must reimburse that personal expenditure. This is exactly what the secretary of state did. She made excuses for using a government travel card. She now has a personal expenditure travel card. That is the end of it.

The Speaker: My colleagues, as you know, in the preambles to our questions I give quite a bit of latitude because I am waiting until we get to the question. Although the question itself is in order, sometimes the preamble comes very close to being out of order. I would just ask you to be very judicious in your choice of words in the preamble.

*Oral Questions***ETHICS***[Translation]***THE MERCHANT NAVY**

Mr. Jean H. Leroux (Shefford, BQ): Mr. Speaker, my question is for the Secretary of State for Veterans.

The members of the Merchant Marine who took part in Canada's war effort have long complained that National Defence and Veterans Affairs do not consider their concerns to be a priority. They are calling for the benefits available to other veterans to be available to them as well, without any discrimination.

• (1440)

Can the minister indicate what his government's position is on this matter, and will he commit to providing Merchant Marine veterans with the same benefits as those provided to military veterans?

[English]

Hon. Lawrence MacAulay (Secretary of State (Veterans)(Atlantic Canada Opportunities Agency), Lib.): Mr. Speaker, since 1992 Merchant Navy veterans have been considered full status veterans and they receive every pension and anything that is available to any other veteran in this country. They are eligible for all the benefits that any veteran in Canada is eligible for.

[Translation]

Mr. Jean H. Leroux (Shefford, BQ): Mr. Speaker, yesterday, along with other members of this House, I had the honour of participating in a ceremony remembering them. Forty-two per cent of the members of the Merchant Navy who lost their lives in the second world war came from Quebec. There is a reason for the Merchant Navy veterans to be meeting. They are excluded from a number of the provisions of the war-related benefits act.

Does the minister commit to holding consultations with the coalition of Merchant Navy veterans before tabling his bill to modify the provisions currently in effect?

[English]

Hon. Lawrence MacAulay (Secretary of State (Veterans)(Atlantic Canada Opportunities Agency), Lib.): Mr. Speaker, there are approximately 3,000 Merchant Navy veterans in Canada. That figure is from the coalition. Over 2,000 of these veterans receive benefits from the Department of Veterans Affairs.

I ask my hon. colleague or any other member of the House who knows of any veteran, including a Merchant Navy veteran, who is not receiving a benefit because of anything in the legislation to contact me or the Department of Veterans Affairs. They are eligible for any benefit that any veteran is eligible for in this country.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, I have a question with no preamble for the Secretary of State for Training and Youth. Has she seen these ethical guidelines and, if so, when?

Hon. Ethel Blondin-Andrew (Secretary of State (Training and Youth), Lib.): Mr. Speaker, last week I had the opportunity to put the information before the House. I have done so.

I have been villainized, I have been criticized, I have been damaged politically by these people wrongfully. The facts were misrepresented.

I tabled all the information that they asked for. They have since moved the goal post. They are not satisfied. This is a party bereft of ideas. This is a party that has nothing—

Some hon. members: Hear, hear.

Ms. Blondin-Andrew: Mr. Speaker, quite clearly this is a party that is coming apart at the seams. It has absolutely nothing to take to the public. It is villainizing me. It is trying to build a reputation on my back. I will not stand for it any more.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, we are not moving the goal post; they have moved the guidelines.

Without trying to villainize her at all, I have one question for the junior minister. Has she seen the guidelines and when?

• (1445)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the secretary of state had a chance to come to the House of Commons last week. As an hon. member of this House, she gave an explanation that was accepted by the House of Commons.

They can do that type of thing. I remember there was a party whose members said they were going to change the mentality of the House of Commons, and they are loving being in the dirt at that level.

* * *

*[Translation]***THE CANADA LABOUR CODE**

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, my question is for the Minister of Labour.

On the one hand, under Quebec law, pregnant workers may use the provisions respecting preventative withdrawal from work, with compensation, if their work presents a risk to themselves or to the foetus. Similar provisions exist in several other Canadian provinces. On the other hand, those subject to the Canada Labour Code do not enjoy the right to preventative withdrawal.

Oral Questions

Will the minister admit that the fact that the Canada Labour Code provides for neither reassignment nor preventative withdrawal with compensation penalizes pregnant or breastfeeding workers in Quebec and Canada?

Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, we are currently reviewing part II of the Canada Labour Code, which deals with the matter raised by the hon. member.

A group representing employers and unions, together with officials from the Department of Labour program, has already reached a consensus on 90 per cent of the proposed changes. We are now working on the remaining 10 per cent.

On Monday, I instructed my officials to work on a consensus on this matter with that group so that, hopefully early in the new year, we can submit the next set of changes to the Canada Labour Code, concerning health and safety as proposed by the hon. member.

Mr. Réal Ménard (Hochelaga—Maisonnette, BQ): Mr. Speaker, on a biographical note, I would like to remind the minister that, in 1993, he voted for an amendment regarding preventative withdrawal tabled by the Bloc Québécois, and I ask him this: Will he undertake to make the necessary changes to the Canada Labour Code so that agreements can be entered into with the provincial governments, that would include compensation plans for the reassignment or preventative withdrawal of pregnant or breastfeeding workers, where such plans exist?

Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, as I just said, we are reviewing the amendments. I can assure my hon. colleague that we are looking at this very seriously and we intend to make changes as soon as possible.

* * *

SOFTWOOD LUMBER

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, my question is for the Minister for International Trade.

On October 31, following the recent Canada-U.S. agreement on softwood lumber, lumber companies in Quebec and Canada received a letter from the Canadian government indicating their market quotas.

Can the minister explain how these quotas were calculated and say if steps were taken to protect those companies that have already exceeded their quotas?

[English]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, I would remind the members of the House that

first of all we responded in this agreement with the United States at the request of the industry. The industry was, of course, in the setting of the quotas consulted right throughout the way. It established criteria, forwarded its suggestions to us and by and large that is what we followed.

By and large the setting of the quota is based on past experience. Each of the companies was allowed to pick its best 12 month period with a two and a half year timeframe, and that is the information they provided for us and that was the basis for our calculating what they should be getting in the way of quota.

I should point out that quota means free quota because they can still export as much as they want but it means that there are fees that have to be paid over and above that quota.

There are some companies, as the hon. member has pointed out in his question, that have exceeded their allocation. A lot of them have done this of course in full knowledge about what their past experience has been but have elected to rush the border and sell all in the early phases of this program, which is unfortunate if they are now facing a difficulty in terms of quota.

We have however, provided two things—

The Speaker: The hon. member for Elk Island.

* * *

• (1450)

ETHICS

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I want the record to show that I and the members of the Reform Party find no pleasure at all in making these accusations.

I also want the record to show very clearly that we are here to ferret out the facts and we want to know if these guidelines exist. Today there is more than adequate doubt that they exist. Will any minister who has seen the guidelines please stand up?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the member is up every day and he is not able to table any facts or make any arguments. They are arguing about how I deal with my ministers. They should have the facts and the guts to make accusations, not to work only with innuendoes like that. If they want to make accusations they can get out of the House and make accusations and face the consequences.

If the member has something concrete, put it to the House and we will deal with it. We are not playing with innuendoes.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, the Prime Minister has put it right on the line. We do have the courage to demand the facts and we are not going to let up until we have tabled in this House un-whited documents that show all the facts.

Oral Questions

I will personally be delighted if the minister is totally exonerated, but until those missing blanks are filled in we will not let it rest. Will they do that?

The Speaker: Colleagues, on the words we are using, I have not heard any accusations but now "exoneration". Please, my colleagues, be very judicious in your choice of words. I am going to permit the Prime Minister to answer.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I have been a member of this House for quite a long time. I arrived here in 1963. It is a tradition in this House that when an honourable member of the House gets up to table the facts, there is an acceptance by the people that those are the facts until they can prove the contrary.

The secretary of state rose and explained her case in front of the nation, and they carry on the innuendoes with no facts.

He should do his homework, find the facts and come back, not operate on innuendoes. This is not the dignity in this House that we used to have in the old days.

* * *

[*Translation*]

AIR TRANSPORTATION

Mr. André Caron (Jonquière, BQ): Mr. Speaker, my question is for the Minister of Transport.

Since Canadian airlines' restructuring plan was announced last Friday, divisions have appeared within the Canadian government. On the one hand, the Minister of Industry was willing to consider a request for financial assistance from Canadian; on the other hand, the Minister of Transport reiterated yesterday that his government would not invest another penny in Canadian.

Since the federal government has already done more than its share for Canadian, notably by guaranteeing a \$120 million loan, buying back three Airbus planes for \$150 million and awarding it the lucrative Asian market, can the Minister guarantee us today he has no intention of injecting more tax dollars into a company that has lost over \$1.3 billion in the past eight years?

• (1455)

[*English*]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, the member talks about differences of opinion between ministers and getting quotes by two ministers who said exactly the same thing.

I would point out to the member that the company we are talking about, Canadian airlines, has a major problem of restructuring which it faces and this will require substantial changes to its operations. It is a private company and therefore must go out and,

like other private companies, attempt to deal with its problems on its own.

From the government's point of view, we wish to encourage competition. Many of the steps we have taken since becoming government have shown that. We believe the increase in air traffic that has resulted since we have taken office does show that we have succeeded in this regard.

Obviously we are particularly interested in this major company, one of our major carriers internationally as well as domestically, but at the present time we have received no request for any assistance from either the company or from the unions involved as well.

[*Translation*]

Mr. André Caron (Jonquière, BQ): Mr. Speaker, I note that the minister gave no guarantee.

But could the minister at least guarantee us that Ottawa will not amend its foreign investment regulations to allow U.S. interests to take over Canadian airlines, which is less and less Canadian?

[*English*]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, there is no question at the present time of answering such a question in this House because no request has been put by anyone in the airline industry for us to make that decision or to reconsider that decision.

Therefore the question is entirely hypothetical and obviously cannot be answered in this House under the rules of Beauchesne's, which I happen to have in my hands at the present time.

The Speaker: We stay away from props, colleagues.

* * *

GUN CONTROL

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I have a prop on my desk but I will not use it.

Yesterday the Minister of Justice accused me and my colleagues of failing to support some of the bills that he has rammed through this House, including Bill C-68.

I have today with me 24 reasons why we could not support Bill C-68. Canadians were told repeatedly that the security of the firearms registration system could not be breached. Today I have 24 individual restricted firearms registration certificates containing the name and address of each owner together with the full description of each firearm. These were all sent to the wrong individuals in the mail.

I ask the solicitor general how this enormous breach of security could occur.

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker,

Oral Questions

my hon. friend has raised this with me for the first time right now in the House. If he would care to meet with me and provide me with the material I will do my utmost to get him a complete answer.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I certainly will do that. I will make sure that he gets these certificates so that the rightful owners can eventually get them.

However, it is clear that Reform members were right. The firearms registration system is not secure and serious breaches have occurred.

Will the solicitor general admit this and agree that this presents a serious problem for the Liberal's proposed registration system for rifles and shotguns?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, the registration system we have at present is designed for use under the present law that is the registration law that existed prior to Bill C-68. We are busy working very vigorously to have a cost effective automated system using the best of technology which will respond to the needs of Bill C-68 and which will be based on learning from any difficulties that relate to the present system.

The present system is not the one which will be applied in order to carry out Bill C-68, which is overwhelmingly supported and desired by the great majority of Canadians.

* * *

FORESTRY

Mr. George S. Rideout (Moncton, Lib.): Mr. Speaker, my question is for the Minister of Natural Resources.

Canada is a world leader in forestry practices. We are all concerned about the environment and the health of our Canadian forests. Would the minister tell us what is being done in the area of certification to ensure that the Canadian forestry industry is adhering to sustainable forestry practices?

• (1500)

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, as the hon. member knows, Canada is one of the world's leading forestry nations. As such, all forestry stakeholders take their environmental responsibilities very seriously.

A recent example of this responsibility is an industry driven initiative undertaken in conjunction with the Canadian Standards Association to develop a new sustainable forest management standard.

These standards were recently approved by the Standards Council of Canada. They will subject the forestry industry to a rigorous, scientifically technical standard in relation to sustainable forestry management. They will also be subject to independent third party audits.

This is another example of how we are maintaining our position as one of the world's leading forestry nations.

* * *

TAXATION

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, my question is for the Minister of Finance. He will know that the minister of revenue was recently in Nova Scotia pointing out that the legislation enacting the blended 15 per cent tax is not etched in stone.

She goes on to point out that the government is open to accepting a number of changes and then says that the Canadian public wants this tax.

Can the Minister of Finance point out what evidence he has to indicate that the Canadian public wants this tax? If he cannot prove that, is he open to scrapping the whole notion?

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, the hon. member knows that legislation is developed and passes through this House in a particular way. He knows that my department, along with the Minister of Finance, have worked with the three Atlantic provinces to develop legislation that will harmonize the sales tax system.

As a member of the finance committee, I crossed this country and listened to Canadians who said to us: "Fix this tax. Fix it by harmonizing it. Fix it by having tax included pricing. Fix it by having one administration".

I congratulate the Atlantic provinces for having the foresight to understand that this is what will be the solution to this tax. I would suggest to the hon. member that he talk to his own province about the importance of such a solution.

* * *

PRESENCE IN GALLERY

The Speaker: Colleagues, I would like to introduce to you a very select group.

[Translation]

Today we have with us in our public gallery 70 teachers from across Canada, who came here to attend the first teachers' forum on Canadian parliamentary democracy.

[English]

These men and women were selected for excellence in the teaching profession. In my view, this is the all-star team, the Team Canada of Canadian teachers. The teacher's institute has brought them to us for an intensive four days to study our parliamentary way of life. Please welcome them to our House of Commons.

Some hon. members: Hear, hear.

• (1505)

POINTS OF ORDER

CERTIFICATION OF PETITIONS

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, I appreciate the opportunity to rise on a point of order. I will be very brief, but I am asking for clarification from the Chair on an important issue regarding the certification of a petition.

Just to give the background on this, I sent to the clerk of petitions a petition which was signed by 27 Canadians residing in my riding of Okanagan—Similkameen—Merritt. The clerk sent it back to me not certified. In her decision she outlined the reason as “not meeting the requirements of Standing Order 36(2)(g)”, which reads:

In order to be certified, pursuant to section (1) of this Standing Order, every petition shall:

(g) contain at least twenty-five signatures together with the addresses of the signatories, from persons other than Members of Parliament.

I disagreed at the time with the clerk that the petition failed to meet this criterion. When I pursued the matter with her office I was informed by her staff that the petition was not certified because five of the signatures were in Punjabi. I was further informed that all signatures must be in either French or English.

Now, in an attempt to get further clarification of how I could table this petition, I approached—

The Speaker: Is this the same petition that you approached the Table with earlier today which was subsequently approved? Could you answer that question for me?

Mr. Hart: Mr. Speaker, it was. But I think the House needs to get clarification on this matter and that is why I raise it.

The Speaker: I undertake to look into this matter further. I understand that the petition was approved. Therefore, that would seem to put the case to rest.

As far as the clarification goes, I will look into that matter and I will come back to the hon. member with some more information if it is necessary, either here in the House or in my chambers.

CORRECTION TO VOTE ON MOTION NO. 221

Mr. John Harvard (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Mr. Speaker, I assumed you already knew about my point of order.

The Speaker: My colleague, I did know about your point of order. It slipped my mind. As I was leaving I heard your voice calling me back and here I am.

Routine Proceedings

Mr. Harvard: Mr. Speaker, as usual, my dutiful servant.

With your indulgence I wish to set the record straight with respect to my vote last night on private member's motion No. 221. I wish to be recorded in support of that motion and that *Hansard* and the House of Commons *Journals* be so corrected.

The Speaker: Thank you, my colleague. I assure you that will be corrected.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Madam Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to seven petitions.

* * *

COMMITTEES OF THE HOUSE

JUSTICE AND LEGAL AFFAIRS

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Madam Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Justice and Legal Affairs.

Pursuant to the order of reference of Tuesday, October 1, 1996, your committee has considered Bill C-53, an act to amend the Prisons and Reformatories Act and your committee has agreed to report it without amendment.

* * *

• (1510)

[Translation]

BUSINESS OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, I have the honour to present the 44th report of the Standing Committee on Procedure and House Affairs regarding the list of members and associate members of several committees.

With leave of the House, I intend to move for concurrence in this report later this day.

[English]

Madam Speaker, also I have the honour to present the 43rd report of the Standing Committee on Procedure and House Affairs regarding the selection of votable items in accordance with Standing Order 92. This report is deemed adopted on presentation.

Routine Proceedings

[Translation]

FEDERAL FUNDING AND TOBACCO COMPANIES ACT

Mr. Clifford Lincoln (Lachine—Lac-Saint-Louis, Lib.) moved for leave to introduce Bill C-346, an act respecting federal funding of certain activities, events and facilities that are supported by tobacco companies.

He said: Madam Speaker, I table this bill, which seeks to prevent federal funds from being used to subsidize cultural and sporting events that are supported financially or otherwise by tobacco product manufacturers, or to promote cultural and sporting equipment bearing the name of a tobacco product manufacturer or the brand of one of its products.

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

* * *

[English]

EXPO 2005

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Madam Speaker, after consultations there is unanimous consent to move, seconded by the hon. members for Roberval, Calgary Southwest and Winnipeg Transcona a resolution as follows:

That this House unanimously support the bid by Canada to host Expo 2005 in Calgary from May to October 2005, the centennial year of Saskatchewan and Alberta.

Mr. Preston Manning (Calgary Southwest, Ref.): Madam Speaker, on behalf of all Calgarians I do proudly second this motion that this House support the bid of Canada and Calgary to host Expo 2005.

[Translation]

Mr. Michel Gauthier (Leader of the Opposition, BQ): Madam Speaker, I am pleased to second the motion proposed by the heritage minister. As leader of the official opposition, I had the opportunity to meet with the members of the committee who will decide whether or not Expo 2005 will be held in Canada.

• (1515)

I have assured members of the committee, and also members of the organizing committee, that we not only support this event, but that we will take every possible step to ensure that it is a big success. We have no doubt about Calgary's extraordinary ability to organize such an event.

[English]

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Madam Speaker, on behalf of all the New Democrats in the House of Commons and I am sure New Democrats across the country, I am very

pleased to second this motion. As someone who remembers well Expo '67 in Montreal and Expo '86 in Vancouver, the good Lord willing and the creek don't rise, we all look forward to attending Expo 2005 in Calgary.

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, as caucus chair of the national capital region, the region that competed most vigorously with Calgary to be chosen the city to host Expo 2005, may I say that I am very pleased to endorse the motion that Calgary be chosen as the world city to host Expo 2005.

(Motion agreed to.)

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, if the House gives its consent, I move that the 44th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

The Acting Speaker (Mrs. Ringuette-Maltais): Does the House give its unanimous consent for the member to move the motion?

Mr. Nunziata: Madam Speaker, on a point of order, perhaps the member could indicate the nature of the report and what is in the report that is being reported. It is hard to give unanimous consent if one is not aware of what is in the report.

Ms. Catterall: Madam Speaker, I am a vice-chair of the committee and the report was handed to me at the last minute.

The Acting Speaker (Mrs. Ringuette-Maltais): The table can read the summary of the report.

[Editor's Note: Report read by Clerk.]

Mr. Nunziata: Madam Speaker, this raises the whole question of the method by which members of Parliament are appointed to committees. Those of us who do not belong to a particular caucus are excluded from the process in terms of committee selection.

One of the things that I have stood for in the 12 years I have been in Parliament is parliamentary reform. It seems to me that subsequent committees which have studied the whole issue of parliamentary reform—

The Acting Speaker (Mrs. Ringuette-Maltais): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mrs. Ringuette-Maltais): We do not have unanimous consent.

Routine Proceedings

SENIORS

Mr. Nunziata: Madam Speaker, on a point of order, is a member of Parliament entitled to indicate the reasons that unanimous consent is not being granted, if the House is interested? If it is not interested, then I will not explain.

The Acting Speaker (Mrs. Ringuette-Maltais): The House has asked for unanimous consent. We do not have unanimous consent. We will move on to other motions.

• (1520)

PROCEDURE AND HOUSE AFFAIRS

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, if the House gives its consent, I move:

That the membership of the Standing Committee on Procedure and House Affairs be modified as follows: substitute Bonnie Hickey for Peter Milliken.

[Translation]

The Acting Speaker (Mrs. Ringuette-Maltais): Does the hon. member have the unanimous consent of the House to table the motion?

Some hon. members: Yes.

Some hon. members: No.

The Acting Speaker (Mrs. Ringuette-Maltais): There is not unanimous consent.

* * *

PETITIONS

THE SENATE

Mr. François Langlois (Bellechasse, BQ): Madam Speaker, I am pleased to table a petition signed by 2,664 residents of the federal riding of Bellechasse, and certified by the clerk of petitions.

This petition calls for the abolition of the Senate of Canada. I would also ask you to note that this petition has received the support of the municipal councils of L'Islet and Saint-Fabien-de-Panet in my riding.

[English]

YOUTH

Mr. Maurizio Bevilacqua (York North, Lib.): Madam Speaker, pursuant to Standing Order 36, I am pleased to present to the House three petitions signed by the residents of York North.

The first petition outlines some of the challenges our youth face in making the transition from school to work. The petitioners call upon Parliament to ensure that the government continues to create opportunities for youth through internship programs, information technology, improved Canada student loans, summer student job programs and programs targeted directly to youth at risk.

CRIME

Mr. Maurizio Bevilacqua (York North, Lib.): Madam Speaker, the second petition draws to the attention of the House the importance of income protection for today's seniors and for future generations. The petitioners therefore call upon Parliament to work toward fair and sustainable income programs for seniors, ensuring that those in need receive adequate and stable support.

Mr. Maurizio Bevilacqua (York North, Lib.): Madam Speaker, the final petition deals with the security and safety of all Canadians.

The petitioners draw to the attention of the House that the Liberal government's safe homes and safe streets agenda is making a difference as the crime rate fell again in 1995, its fourth annual drop following 30 years of almost constant increase. The petitioners call upon Parliament to continue to take a tough line on crime and to enact laws which will provide Canadians with the safe homes and safe streets they so rightly deserve.

COPYRIGHT

Ms. Roseanne Skoke (Central Nova, Lib.): Madam Speaker, pursuant to Standing Order 36, I have the honour to present a petition from Canadian professional photographers in the industry of photography who are concerned that they have no copyright protection founded in Canadian law. The petitioners call upon Parliament to enact legislation to provide the following protection.

They ask that copyright in a photograph come into being automatically as soon as the image is fixed in a tangible medium; that ownership of the copyright in professionally created portrait photographs vests solely in the photographer and not in the person who commissioned or sat for the portrait; that copyright is a form of statutory intellectual property distinct from the photograph and sale of the photograph does not imply any transfer of the copyright interest; any assignment of the copyright must be in writing, signed by the copyright owner; and that duplication in any form of a professionally created photograph without the authorization of the photographer constitutes copyright infringement.

EMPLOYMENT INSURANCE

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Madam Speaker, it is an honour today to finally be able to present a petition which has been signed by 27 of the constituents of Okanagan—Similkameen—Merritt.

The petitioners call upon Parliament to consider the difficulty faced by seasonal farm workers in the Okanagan Valley of British Columbia due to the new EI rules.

It gives me a great deal of pleasure to present this petition. It has been held up for quite some time. It is an honour to be able to present it on behalf of my constituents.

Routine Proceedings

MARRIAGE

Mrs. Rose-Marie Ur (Lambton—Middlesex, Lib.): Madam Speaker, I would like to table a petition signed by constituents of Lambton—Middlesex, many of them from Wardsville, Newbury and Bothwell, which has been duly certified by the clerk of petitions pursuant to Standing Order 36.

The petitioners request that the House of Commons enact legislation or amend existing legislation to define marriage as a voluntary union for life of one man and one woman to each other to the exclusion of others.

YOUNG OFFENDERS ACT

Mr. Ed Harper (Simcoe Centre, Ref.): Madam Speaker, I have three petitions to present today on behalf of my constituents.

The first group of petitioners request that Parliament pass legislation to strengthen the Young Offenders Act, including publishing the names of young offenders, lowering the age of application and transferring serious offenders to adult court.

AGE OF CONSENT

Mr. Ed Harper (Simcoe Centre, Ref.): Madam Speaker, the second petition concerns age of consent laws. The petitioners ask that Parliament set the age of consent at 18 years to protect children from sexual exploitation and abuse.

• (1525)

HUMAN RIGHTS

Mr. Ed Harper (Simcoe Centre, Ref.): Madam Speaker, the final group of petitioners are requesting that the Government of Canada not amend federal legislation to include the phrase sexual orientation. The petitioners fear that such an inclusion would indicate societal approval of homosexual behaviour. The petitioners believe that the government should not legitimize this behaviour against the clear wishes of the majority.

JAMES BAY NORTHERN QUEBEC AGREEMENT

Mr. Peter Adams (Peterborough, Lib.): Madam Speaker, I have a petition from numerous citizens of my riding of Peterborough.

These citizens draw to the attention of the House the fact that section 327 of the James Bay Northern Quebec Agreement discriminates against James Bay Crees who no longer live in James Bay, Quebec simply by virtue of their not living there. Specifically, the Mocrebec Nation who reside in northern Ontario suffer due to not having a land base, rights within the James Bay Northern Quebec Agreement, or federal funds.

Therefore these petitioners request that Parliament revoke section 327 of the James Bay Northern Quebec Agreement due to its contravening the Canadian Constitution 1981. They request that the Mocrebec Nation be recognized and a land base and federal funds be allocated to them.

PROFITS FROM CRIME

Mr. John Nunziata (York South—Weston, Lib.): Madam Speaker, I wish to present to the House today a petition signed by several hundred Canadians calling on the government and members of Parliament to support Bill C-205 introduced by the member for Scarborough West so as to provide in Canadian law that no criminal profits from committing a crime.

Criminals are not prohibited by Canadian law from profiting from their crimes. Criminals have the opportunity today to produce videotapes, write books and to profit as a result of their crimes.

These petitioners call on the Government of Canada to take immediate action to stop people like Clifford Olson from profiting from their heinous crimes.

PAROLE

Mr. John Nunziata (York South—Weston, Lib.): Madam Speaker, the second petition has to do with section 745 of the Criminal Code.

Section 745 allows convicted killers to apply to have their parole ineligibility reduced. The petitioners and millions of other Canadians want this government to take immediate action to stop convicted killers from applying under section 745 to have their parole ineligibility reduced so that the penalty for first degree murder becomes a minimum period of incarceration of 25 years.

GASOLINE PRICES

Mr. John Solomon (Regina—Lumsden, NDP): Madam Speaker, I have a petition pursuant to Standing Order 36 which I would like to present on behalf of many Saskatchewan residents from Saskatoon, Shellbrook, Warman and Hepburn.

This petition is in response to the price gouging by gasoline companies in Saskatchewan. These people are very concerned about the fact that they are being gouged at the pumps. The petitioners call upon the House of Commons to urge the government to establish an energy pricing review commission to keep the pricing of gasoline and other energy products in check.

PUBLIC SAFETY OFFICERS COMPENSATION FUND

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, I have three petitions today.

The first petition is from Cambridge, Ontario. The petitioners would like to draw to the attention of the House that our police and firefighters place their lives at risk on a daily basis as they serve the emergency needs of all Canadians. They also state that in many cases the families are left without sufficient financial means to meet their obligations.

The petitioners therefore pray and call upon Parliament to establish a public safety officers' compensation fund to receive gifts and bequests for the benefit of families of our police officers and firefighters who are killed in the line of duty.

TAXATION

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, the second petition comes from Verona, Ontario.

The petitioners would like to draw to the attention of the House that managing the family home and caring for preschool children is an honourable profession which has not been recognized for its value to our society. The petitioners therefore pray and call upon Parliament to pursue initiatives to assist families who choose to provide care in the home to preschool children, the chronically ill, the aged or the disabled.

LABELLING OF ALCOHOLIC BEVERAGES

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, the final petition comes Calgary, Alberta.

The petitioners would like to draw to the attention of the House that the consumption of alcoholic beverages may cause health problems or impair one's ability and specifically, that fetal alcohol syndrome or other alcohol related birth defects are 100 per cent preventable by avoiding alcohol consumption during pregnancy.

• (1530)

The petitioners therefore pray and call on Parliament to enact legislation to require health warning labels to be placed on the containers of all alcoholic beverages to caution expectant mothers and others of the risks associated with alcohol consumption.

TAXATION

Mr. Nelson Riis (Kamloops, NDP): Madam Speaker, it is my honour to present a petition, pursuant to Standing Order 36, on behalf of a whole number of constituents who are not interested in merging the GST and PST but are actually asking the Liberals to keep their promise and not proceed with the GST any longer. After all, that is what they promised and that is why people voted for the Liberals in many respects. The Liberals simply broke that promise. These people are infuriated. I suspect they are all Liberals on this petition as well. However, that is just the way it goes.

CHINA

Mr. Nelson Riis (Kamloops, NDP): Madam Speaker, my second petition is on behalf of a number of constituents, as a matter of fact hundreds, who are worried about the government's interest in exporting CANDU reactors to China. They realize that this will upset the very delicate balance that currently exists in terms of our overseas exports. They are concerned about the abuse of human rights in that country and feel it is morally wrong to be exporting CANDU reactors with the suggestion that in the future they could

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be converted into nuclear weaponry. These Canadians want nothing to do with that particular process.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Madam Speaker, I rise on a point of order today to ask the government House leader when I can expect to receive answers to my Questions on the Order Paper Nos. 4 and 52. I requested an answer to both questions within 45 days.

As of today, Q-4 has been outstanding for 253 days and Q-52 has been outstanding for 175 days. Q-4 is about public safety. It is about criminal access to firearms from the police and military. Q-4 was first placed on notice in the last session of Parliament on November 24, 1995, almost one full year ago. Even though I requested an answer within 45 days, almost a year has passed and the government still refuses to provide me and my constituents with the information we need to hold the government accountable for its actions.

I am concerned that the government will call an election before it gives us an answer. I as a member of Parliament cannot function and do my job if the government continues to hide information that should be on the public record and that it should have full access to.

I am going to ask the Speaker as well, can you tell me what options I have to ensure that my rights and privileges as a member of Parliament are respected in this regard?

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Madam Speaker, the hon. member has asked for information that is very complex and takes a lot of research. I am sure that he would like to get the full documentation on all the questions he has asked.

As I understand it, the papers are being processed and as soon as they are available we will have them in this House. Some information is very easy to get within the allotted time but when the member asks such convoluted questions and so many questions at a time, it takes the department a little longer to get this information for him.

The Acting Speaker (Mrs. Ringuette-Maltais): The hon. member also has the option to transfer those questions under a motion to adjourn the debate.

Mr. Breitkreuz (Yorkton—Melville): Madam Speaker, I would prefer that those questions remain as they are so I receive a good answer to them.

My response to what the hon. member has said is that they have told me this for months already. The fact is this information should

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be on the public record and available before the legislation is even brought before the House. Therefore I cannot understand why it is not available to me.

• (1535)

Mr. John Williams (St. Albert, Ref.): Madam Speaker, on the same point of order, I view the point of order raised by my colleague with great concern. I had raised virtually the identical issue for another question. The Speaker at that time ruled that this was a serious matter. The government did not seem to be too concerned about meeting its obligations to respond within 45 days.

I would therefore ask again, on behalf of my colleague, and reiterate and point to the Speaker's ruling of some months ago when he said that he views this issue very seriously. I would certainly hope that the government would hear my colleague's request and answer forthwith, rather than putting us off time and time again with the fact that it takes a great deal of work.

There is no indication whether it is going to answer tomorrow, next week, next month or whether it is going to take so long that we have an election in the meantime.

The Acting Speaker (Mrs. Ringuette-Maltais): I think your point of order has been well received.

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Madam Speaker, I ask that all questions be allowed to stand.

The Acting Speaker (Mrs. Ringuette-Maltais): Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Madam Speaker, I ask that Notices of Motions for the Production of Papers be allowed to stand.

The Acting Speaker (Mrs. Ringuette-Maltais): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CANADA-ISRAEL FREE TRADE AGREEMENT IMPLEMENTATION ACT

The House resumed from November 5 consideration of the motion that Bill C-61, an act to implement the Canada-Israel free trade agreement, be read the third time and passed.

The Acting Speaker (Mrs. Ringuette-Maltais): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mrs. Ringuette-Maltais): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

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

Ms. Catterall: Madam Speaker, I rise on a point of order. I might prevail on the Speaker and on the House to inquire as to whether there is unanimous consent to return to Routine Proceedings for a committee report.

Some hon. members: Agreed.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, if the House gives its consent, I move that the 44th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

(Motion agreed to.)

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, again, if there is unanimous consent I move:

That the membership of the Standing Committee on Procedure and House Affairs be modified as follows:

Substitute Bonnie Hickey for Peter Milliken.

(Motion agreed to.)

GOVERNMENT ORDERS

[English]

DIVORCE ACT

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.) moved that Bill C-41, an act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act, the Garnishment, Attachment and Pension Diversion Act and the Canada Shipping Act, be read the third time and passed.

• (1540)

He said: Madam Speaker, I am pleased to speak today on third reading debate of Bill C-41, which is intended to amend a number of statutes to provide a comprehensive approach to improving the

system in Canada for determining the amounts and making more certain the payment of child support for parents who separate.

The objective, first and foremost, is to ensure that the interests of the children are put first in terms of financial support when families separate.

The House will know from the measures already announced that the initiative rests on four principle grounds. First is the creation through regulations to the Divorce Act of guidelines governing the determination of standard, uniform amounts for child support depending on the income of the parents.

Second is a change to the way child support payments are taxed to make things simpler and fairer.

Third is an improvement to the process by which the federal government assists in the enforcement of child support orders once made.

Last is a measure that will double within the next two years the amount of the working income supplement which is a tax free component of the child tax benefit available to working families with children whose total income is less than \$26,000 per year.

[*Translation*]

First of all, I must say that we have introduced the child support guidelines as a way of determining what constitutes a proper amount of support according to the financial capabilities of the payer.

They involve numerical calculations which take into account amounts that families at similar income levels would spend on their children. These amounts are easy enough to ascertain. They are presented in a table format, similar to an income tax table.

In this way, child support awards can be consistent, fair and predictable. Yet at the same time, the objective of consistency always has to be balanced with the need to have sufficient flexibility to deal with individual circumstances.

Consequently, application of the table amounts is not completely rigid. The table award can be adjusted either upwards or downwards to account for special expenses or for any undue hardship suffered by either parent or the child as a result of awarding the amount of child support proposed by the guidelines.

[*English*]

In addition, there is a provision in the bill which allows the court to adjust the award if it causes unfairness because of special provisions made in a pre-existing agreement between the parties.

For example, if the couple agreed that the custodial parent would maintain ownership of the family home but that in return the amounts of child support would be lower than they might otherwise

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be, a court could consider departing from the guideline amounts, taking into consideration the unequal division of property. This allows parties to negotiate agreements that may be suitable to their own particular situations.

Also in recognition of the reality that many children's parents are not fortunate enough to be represented by legal counsel, the guidelines will help ensure that they too benefit from an adequate award by providing for a standard amount depending on income.

● (1545)

During the hearings on Bill C-41, the Standing Committee on Justice and Legal Affairs heard from a wide variety of witnesses, many of them representing separated and divorced parents. One of the issues they addressed was the challenge we face in working toward a greater consistency in awards while allowing for some flexibility to adjust to individual circumstances. Some witnesses thought that a greater discretion should rest in the court while others preferred the greater predictability and consistency that the guidelines provide.

[*Translation*]

However, the major legal organizations appearing before the committee, such as the Canadian Bar Association, the Barreau du Québec and the National Association of Women and the Law, all welcomed the guidelines as an initiative which provided a better balance of predictability and response to individual circumstances. They considered the guidelines to be a positive step.

And I am confident that Canadian families will share this conclusion once the guidelines are operational next May.

[*English*]

There are no doubt those—as there were among the witnesses before the committee—who considered the actual amounts in the guidelines to be either too high or too low. Opinion will be divided forever on whether we have captured just the right amounts in the relevant income categories. However, we believe that as a matter of policy, standard guideline amounts are a vast improvement for children of separated families and we have to start somewhere.

The first draft of proposed guideline amounts were published in 1992 and there were many who commented and reacted. The federal-provincial-territorial committee that designed these proposals went back to the drawing board with those comments in mind and published a second proposed guideline table in 1995. Once again reactions and comments were received, changes were made. In the income levels of \$40,000 and below there was a 15 per cent across the board increase in the proposed amounts.

We believe the amounts now proposed are realistic, fair and appropriate. However, I want to assure the House that Bill C-41 contemplates continuous review and monitoring of these amounts,

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and of the guideline system as a whole, to ensure the process can be changed and improved to meet and overcome difficulties as they arise.

Bill C-41 provides for a review process that contemplates a report to Parliament on the operation of the guidelines to be tabled no later than the fifth year following the implementation. If the right balance has not been struck, there will be an opportunity to change the guidelines.

The Department of Justice is committed to ongoing monitoring. If gaps arise early on, before the end of the five-year review, they can be addressed quickly through amendments to the regulations. The guidelines are primarily found through subordinate legislation. That will allow us to respond more quickly and effectively when changes are needed.

This is a process that has been followed in other countries which have adopted guidelines, including Australia, New Zealand, England and each state of the United States of America. The guidelines will be refined and improved as experience is amassed in dealing with them. It is extremely significant that in none of those countries where guidelines have been adopted, has it been concluded that it would be appropriate to return to the old system of judicial discretion from which we are now departing with the adoption of a similar approach.

• (1550)

I am confident that in bringing forward this legislation we are taking a significant and a positive step for the children of separated and divorced families in Canada and we are doing so in a way that is flexible and capable of responding to the need for adjustment as time goes on.

Adequate and consistent awards are of little comfort to children if they are not paid. That is why more than half of the bill is devoted to measures which will strengthen the existing means of enforcement available to the federal government, introducing new ways of securing payment of support for children.

The federal licence denial mechanism set out in part III of Bill C-41 is a new measure designed to deal with those support payers who persistently breach their payment obligations.

We know that many parents make their child support payments in full and on time, notwithstanding the fact that they often do so with great difficulty. They take their responsibilities seriously. It is out of respect for those people who make their payments in full and in the interests of the children who would otherwise suffer that we must do everything possible to ensure that those who can pay but wilfully refuse to do so are pursued by every means within our disposal. Part II of Bill C-41 is designed to do just that.

While many of the options relating to enforcement fall within provincial jurisdiction, the new licence denial measures in Bill

C-41 will provide concrete action at the federal level to address chronic and wilful default by those who can pay but do not. It will provide provincial and territorial governments with programs and new enforcement mechanisms to go after delinquent debtors and send a strong message that they must address and not avoid their support obligations.

Refusing to support one's children is a serious breach of the law with consequences that can affect children throughout their lives. It is not simply a matter of providing the necessities and furnishing financial support. The record shows that a child who is in a situation where payments are not made by an absent parent bears emotional scars for life and takes the message that the absent parent has abandoned or rejected them and left them behind.

The legislation we are urging on the House is intended through its specific requirements to ensure that licence denial at the federal level is available to the provinces which seek it as a last resort against support defaulters who have persistently breached their obligations. Since our goal is to see that children are supported, particular emphasis is placed on making sure that the defaulter is given an opportunity to avoid licence denial actions by making arrangements for payment with a provincial enforcement agency.

[*Translation*]

In addition, we are taking steps to strengthen the effectiveness of our existing enforcement services by ensuring that support recipients obtain monies owing more quickly.

While the major role of enforcing support orders is carried out by provincial and territorial enforcement programs, the federal government is the largest collector, on their behalf, of delinquent payments.

Through garnishment of income tax refunds and unemployment insurance monies, among others, the federal government collected \$53 million last year. And it is estimated that at least this amount or more will be collected again this year.

The salaries and pensions of federal employees can also be garnished for support enforcement purposes.

• (1555)

Through Bill C-41, the government will collect more, and more efficiently, on behalf of children owed child support in this country.

[*English*]

It is often difficult to locate a defaulting parent who is in arrears. So as well as garnisheeing money owed to the children the federal government helps provincial governments find payers whose whereabouts are unknown. Accurate information to locate persons who have breached family support orders is a key first step to collection.

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One of the most significant and practical improvements provided in part II of Bill C-41 is the addition of the data banks of Revenue Canada to the list of those sources already searched to provide address information for locating defaulting payers. The confidentiality of the information held by Revenue Canada will be safeguarded to ensure that it is used solely for the purpose of locating support defaulters and securing support payments.

Finally, I should not leave the subject without noting that many of the witnesses who appeared before the committee expressed the wish that we would have gone further into a different but related area of custody and access enforcement in dealing generally with the subject of child support.

There is no question that difficulties with custody and access are the single most significant and difficult source of emotional pain for separating parents. Among all the problems that are presented when parents divided and must share the responsibility of children in those difficult circumstances, deciding on and honouring the terms of custody and access present the most complex and challenging of the problems.

The Divorce Act already provides that when access and custody are being determined or enforced, the court must be governed by the best interests of children. As a result of amendments introduced in the House 10 years ago, the Divorce Act also provides that in determining which parent is to have custody, the willingness of the intended custodial parent to provide maximum access to the other parent is to be taken into account, reflecting the underlying value that we must place on the child seeing as much of both parents as possible, all other things being equal.

But the disputes between parents on terms of custody and enforcing access are such that more than merely legislative change is required in order to meet them. We can use all the words we want to express the desire we all feel that in appropriate cases, all things being equal, both parents should see as much as possible of the children when the parents separate.

In the last analysis it is up to the two individuals in their own circumstances, in their own good conscience and acting in the best interests of their own children to resolve the problems that arise.

Some three or four years ago the Department of Justice started a broad public consultation on the subject of custody and access. After spending those years discussing with judges, family law lawyers, family counsellors, custodial and non-custodial parents, children, medical experts all of the issues arising from custody and access paradigm, we concluded that no consensus was out there in terms of specific legislative changes to be made to help improve the situation.

There are so many facets to this difficult problem of human relations that there was no consensus about how a legislature could

help beyond what is already there as tools in the Divorce Act. And so this bill does not propose legislative change to deal with custody and access. It deals rather with child support. It is careful not to link child support and access because in our judgment that would be a terrible mistake.

• (1600)

To suggest or to provide that money could be withheld if access is denied would leave the child or the children hostage to the emotional dealings between the parties. It would deny the child necessities based on the ability or willingness of the parents to iron out their difficulties in terms of access. That is simply bad public policy and is unacceptable.

We recognize that the issues of custody and access remain unaddressed at least in terms of the federal legislation. It is our intention, once Bill C-41 is adopted, to renew and complete our work on custody and access to determine whether there is any way in which we can, through legislative change or other policy initiatives, improve the present situation in Canada in terms of custody and access.

For the present those are the reasons this bill does not deal with that subject. Rather, it deals with the four elements which I described at the outset:

First, it has guidelines to help introduce an element of consistency and practicability in establishing uniform amounts geared to income for children. It takes the guesswork out of fixing child support amounts. It provides guidance to parents as to what their obligations are. It reduces the costs of litigating this issue and perhaps facilitates the settlement of issues between parties by taking at least one issue off the table and providing a legislated response.

Second, it changes the tax system. It eliminates the deduction to the payer and no longer requires the recipient to take child support into income for tax purposes. It sweeps away a rule that was put in place in the early forties so that the tax system can more fairly reflect the social values of the current age and overcome the unfairness of the custodial parent having to pay income tax on what is not usually money for that person but is support for the child. It relieves the custodial parent of the burden of administering the tax system with all of the complexities that involves.

Third, it strengthens the provisions for enforcement, as I have described them today.

Fourth and last, it takes all of the revenue the federal government will derive from ending the deduction for the payer and devotes that revenue dollar for dollar and then some to a doubling of the working income supplement. This provides tax free dollars for

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those who need it most: working families with children and incomes below \$26,000.

I should say in closing that the measure of doubling to \$1,000 per family the working income supplement in July 1998 will result over the next five years in our putting more than a billion dollars of additional revenue into the hands of over 700,000 families in this country, fully one-third of whom are single parent families. That is going to be a real improvement to the lives of those children.

I commend Bill C-41 to the House as an important part of an integrated strategy to improve the system for child support payment and enforcement in this country. It represents sound public policy and a genuine improvement for children of separated parents. I ask the House to support it.

[*Translation*]

Mrs. Christiane Gagnon (Québec, BQ): Madam Speaker, the passing of Bill C-41, which seeks to modify the system for determining support payments is, in our view, another indication of this government's unwillingness to listen to the provinces, in this case Quebec. It is still the same old game of cat and mouse, as we see again with this bill on support payments.

The current government is once again imposing legislation that we think is flawed, and is rejecting out of hand amendments from any party other than its own. This is a sad state of affairs and I deplore it, particularly as the purpose of this bill is to improve the living conditions of children.

• (1605)

I know that the minister is just as anxious to attain this goal as I am. However, the route chosen does not seem to be the same as the one favoured by Quebec. When we compare the guidelines being proposed by Quebec and those being proposed by the federal government, it is clear that we are at cross purposes. I will come back to this a bit later.

Right now, I would like to remind the government that too often its words are unfortunately at odds with its actions. As always, the government claims to have fine principles. It proclaims its wish to work toward decentralization of power, but it does absolutely nothing concrete to move in this direction when the opportunity arises.

I think that this bill was a good opportunity for the government to show that it was open to including the small changes needed to recognize Quebec's distinct character. I will, if I may, repeat what the Prime Minister said less than a year ago, on November 29, 1995, during the debate on the much discussed distinct society motion. Members will recall, I hope, that it is this motion the Prime

Minister is relying on today in his attempt to trick Quebecers into believing that he has kept his pre-referendum promises.

Back to what the Prime Minister said. He said, here in this House: "I made three commitments during the Quebec referendum campaign: first, to recognize that Quebec forms a distinct society within Canada; second, not to make any constitutional change that affects Quebec without Quebecers' consent; and third, to undertake changes to bring services and the decision making process closer to citizens". This is where I would question the minister. In this bill, I would like to see him respect the guidelines proposed by the government of Quebec.

Members on the government side will have noted, I hope, that Quebec forms a distinct society, or so their leader claims. They will also have noted that he spoke of bringing services and the decision making process closer to citizens.

Regarding the recognition of Quebec as a distinct society, the Prime Minister said a bit later on: "Once it is passed, this resolution will have an impact on how legislation is passed in the House of Commons. I remind Canadians that the legislative branch will be bound by this resolution, as will the executive branch". "This is a real, dynamic recognition, recorded in the very heart of our country's government". That is what the Prime Minister said. I am not inventing anything, I have taken it word for word from what he said.

I will repeat it again, for I am a person who has doubts if somebody tells me one thing and does the opposite. "Once it is passed, this resolution will have an impact on how legislation is passed in the House of Commons. I remind Canadians that the legislative branch will be bound by this resolution, as will the executive branch. This is a real, dynamic recognition, recorded in the very heart of our country's government". When I say that the words spoken in this House by this government are not in keeping with its actions, this is the proof.

On Bill C-41, we had proposed modifications, amendments, and I would liked to have seen some of them passed. I could perhaps have thought there was some connection between these words and the actions being prepared. I have to say that this is lip service only.

The motion on the distinct society is supposed to have a real impact on the way the wording of bills is passed. What impact did this motion have on Bill C-41? Barely two days ago, the Bloc Québécois presented motions to amend the bill, to improve it, to bring it more in line with the aspirations of Quebecers.

Two days ago, we proposed that a province's guidelines be automatically recognized if they met the standards set out in the bill, the criteria imposed by the federal government. It seems to me that this is not so difficult, when they claim to wish to recognize

different ways of doing things, and acknowledge in a bill that Quebec is a distinct society.

• (1610)

I will tell you why we think it is distinct. In my opinion, this position was perfectly reasonable and desirable. First, as I have said, we accepted, albeit a bit reluctantly, it is true, the federal jurisdiction over divorce. I say a bit reluctantly, because Quebec has long desired to regain jurisdiction over divorce. Why? Because this is one more aberration in the division of powers. We cannot, of course, rewrite history, but it is still a fact that Quebec has been extremely patient in constitutional matters.

Divorce renders the end of a marriage official, as everyone knows. That is a self-evident truth. Since unions between individuals fall under civil law, and therefore under provincial jurisdiction, it became evident to Quebecers long ago that dissolution of marriage ought to also be a provincial jurisdiction. Such is not the case, however.

Despite this historical aberration and despite Quebec's desire to regulate this area, we acknowledge, still being part of the federal regime, that divorce does fall under federal jurisdiction.

Now we find the federal government wanting to modify the Divorce Act. Is this not a good opportunity to make some space for Quebec and the other provinces?

The government has made sure not to do so, and this is what we find regrettable. We propose to respect the standards imposed by the federal government, and that is acceptable, but what we are demanding is that, once this condition is met, they give way in favour of the provincial rules.

Why is it so important for Quebec and eventually for the other provinces? Because the Quebec government is closest to its citizens. As we said repeatedly only two days ago, this is the government that administers all aspects of life in our society. It is the government that is responsible for education, for providing assistance with housing, food, clothing, entertainment, health care, transportation, and so forth. In fact, the list is much longer.

The Quebec government and other provincial governments are there to redistribute wealth and ensure that citizens who are less well off or not as well equipped to make their way through life have the minimum they need.

The provincial government looks after family life, day care and the problems in this respect. So obviously, as we said before, it is in the best position to know how to organize a child support payment system in terms of the choices this society has made.

The Quebec government, as we all know, is about to adopt its own guidelines. We explained at length that before drafting a final

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policy, it considered all provincial transfer payments to its citizens. It had to bring this new legislation into line with all its existing and draft policies and also in terms of the government's review of its approach to family policy.

The Quebec government, for the benefit of Quebec society and especially that of its children, is preparing to adopt a policy on child support payments, a policy that will complement steps that have already been taken with respect to the collection of support payments and their tax treatment.

We are talking about a concrete aspect of the specific identity of Quebec society. That is why we asked the federal government for a commitment to recognize the guidelines established by a province for child support payments.

What did we get as an answer? A resounding no. We voted yesterday, and it was no all the time. All the amendments we proposed got no for an answer from all government members. I find that deplorable. And do not tell us they are sensitive to Quebec's demands. We have made those demands clear in this House ever since we were elected. Was an amendment ever really accepted? The list is very short, even in that case. And we deplore that.

• (1615)

The response we got smacked of the usual paternalism. We were told that the federal government alone, without any debate in the House, will decide if it feels like recognizing provincial regulations. Period.

The Liberals are now in power. What would happen if they lost the next election? No one knows. That is what we deplore. We would have liked this bill to be sent back to committee so we could talk about this. It is up to the people's elected representatives to discuss general policy matters. This should not be done in small, restricted committees.

This is rather inconsistent with the Prime Minister's comments, which, I think, is unfortunate. It is totally inconsistent with the fine promise to respect Quebec's distinct society. It is totally inconsistent with the promise to bring services and decisions closer to the people.

As far as I know, the provincial governments are closer to their people than the federal government. That is what I am told every day. When I tell the people in my riding that I come back every weekend, they feel—and it is true, given their interest in provincial legislation and in their government, not only in Quebec but in the other provinces as well—that their provincial government is closer to them.

I also deplore the federal government's spending powers that have grown over the years. That is why we have an enormous

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deficit. There is overlap and duplication. Even our friends in power never had the nerve to pretend that the federal government was closer to its people than the provincial governments. It think it would have been too much, even for them.

This is the first proof that the Prime Minister's promises were not kept and that his government has no intention of keeping them. Allow me to be sceptical. Even in a neutral bill like this one, the Liberals found a way of sweeping Quebec's demands, however modest, under the carpet.

I will now move on to the second motion we proposed in order to improve Bill C-41. Its purpose is to limit the list of criteria listed in new clause 26.1.

The minister did not say anything about it earlier. That is another problem. As we know, this section lists subjects that federal or provincial authorities may legislate guidelines on. Basically, these are all the foreseeable issues that may arise in relation to child support. These are the criteria I referred to in the first part of my speech.

The problem with section 26.1 is that not only does it list requirements, but it leaves the list open. Why is this a problem? The problem arises from the fact that these requirements represent an absolute prerequisite to the recognition of provincial guidelines by the federal government, while the word "including" leaves the door open to a redefinition of these requirements. Additions could be made whenever someone feels like it without the hon. members having any say in the matter.

The bill explicitly provides that, before any province may implement its own guidelines in divorce cases, these guidelines must have been approved by the federal government. In order to be approved by the federal government, the guidelines must meet the requirements set out in section 26.1. But in section 26.1, the requirements are listed under the phrase "including".

This word is explicit. It means that what follows are examples, indicating that the list is not restrictive or exhaustive. So, should the government change tomorrow, they could take a look at the act and decide to apply it completely differently. How can a province make sure to meet the federal requirements when it knows only about part of them? How can a province make sure to meet the federal requirements if the federal government can change these requirements as it pleases?

Let us imagine for a moment that a similar procedure applied to tenders regularly issued by the government. There could be, for instance, an invitation to tender for the provision of building materials. The contract would state: "The tenderer shall provide the materials required to build a museum. He may also be required to provide materials to build another type of building".

• (1620)

The fact is no one in the business would venture to bid on something like that. We can easily understand why. How is the required materials cost supposed to be estimated without knowing how much will be needed?

Let me give you another example: the provision of services. No one would respond to an invitation to tender for janitorial building maintenance services stating that other work may be involved, but not specifying what. How are people supposed to know if they can meet the requirements for a given job when they do not know the specifics? While simplistic, these examples are good illustrations of the arbitrary nature of a clause that uses the term "including", particularly when it applies to a regulatory process, something about which I have doubts.

How could a province believe in an eventual recognition of its guidelines, if the criteria relating to this recognition can be changed at any time, at the federal government's discretion? How will a provincial government be able to set its work objectives if it does not know the expectations of the federal government, or if these expectations are likely to change? It is like playing cat and mouse. The federal government puts out a piece of cheese, watches the provinces run for it and then puts the piece out of reach. This is more or less what will happen with this bill.

Clarity must be the basic rule regarding legislation. The theme, the objectives and also the consequences for non-compliance must be clear. However, the proposed clause 26.1 is not clear, far from it.

In order to show its goodwill, the government must clearly set the rules. The word "including" should have disappeared from the final version of the bill, as was my wish and that of Bloc members and Quebecers. Once again, the Liberal team did not deem it appropriate to take into account its commitment to respect the jurisdiction of the provinces.

Far from facilitating the taking over of responsibilities by the provinces, the federal government passes legislation that could put off some provinces, including Quebec, and deter them from taking any initiative regarding the issue of child support. We do not want this to happen and nor does the minister, because, as you know, the objective is to improve the living conditions of children. We are all working toward this goal. However, Quebec wants a little more flexibility, and should have it. The government is working on guidelines which will not be based on the same criteria as those that will be proposed by Quebec.

However, I do not think Quebec will let the federal government put it on the sideline. The issue will turn into another battle. As we said, Quebec will proceed very soon. What will happen then? I do not know. The situation is quite simple: Quebec is once again in the great position of having to totally depend on the federal government's goodwill regarding whether or not these guidelines will apply in the case of a divorce. Is this the respect shown to Quebec society? Is this the respect shown by governments that are close to

their citizens? This government shows its respect by keeping things in a precarious position, and this is what we deplore. This is why we are fighting in this House; this is what we were elected for. This government shows its respect by keeping the provinces in the dark. Its rule is might is right. Some respect!

This kind of respect is also displayed by the Liberal government's attitude toward our request that the child's place of residence—and this is important—be the factor determining whether federal or provincial rules will apply when the parents do not live in the same province. There is disagreement on this issue. Quebec wants the place of residence to be that of the child, while the federal government says it should be the domicile of the parent paying support.

This may seem inconsequential to a member who does not really pay attention to this issue and who simply votes as instructed by his whip. However, this unjustified refusal by the Liberal team will have a negative impact on many children, and I will tell you why.

● (1625)

I will repeat the explanation given by my colleagues and myself barely two days ago. Perhaps certain members across the way did not hear, or perhaps they were absent. I will repeat it. The bill states that, when parents do not reside in the same province, the federal guidelines will apply. We in the Bloc Québécois say that the guidelines of the province in which the child lives should apply.

I will attempt to explain why. Setting aside the fact that the federal grid does not, in our opinion, take into account all pertinent information and is therefore flawed, and setting aside the fact that, as I explained earlier, the provinces are in the best position to develop their own grid, this rule will skew the support payments regime and will create unfairness within a province, because children in the same province will not all be entitled to the same treatment for the sole reason that their non-custodial parent lives in another province.

Furthermore, as I mentioned two days ago, since the stability of the custodial parent is usually greater than that of the parent paying support, it follows that the economic stability of the child demands that his place of residence be the criterion used, to prevent grid shopping by the parent paying support.

It is difficult to justify this government's rejection of our proposal, all the more so in light of the Prime Minister's fine words, his fine promises to respect Quebec society and to respect the provinces. They were empty words, and nothing more.

When we know that families come under the exclusive jurisdiction of the provinces, and rightly so, we are entitled to wonder why

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the Minister of Justice is unwilling to budge, unless what he has in mind is the provinces leaving it to the federal government to resolve all support payment cases, regardless of their legal foundation. Unless that is what the minister wants.

Someone across the way should have reminded the justice minister that he must keep his word and respect the spirit of his bill. If it had truly been his intention, as he says, to recognize grids adopted by the provinces at some future date, he should have recognized that the principle of uniformity applies first of all within the provinces. He ought to have given up on imposing his grid for paying parents living in a different province than the child. He has not done so. Like his Liberal colleagues, the minister has perpetuated the closed-minded attitude Quebecers are so accustomed to.

One other proposal by the Bloc Québécois was cavalierly rejected yesterday. It was intended to protect the provinces. The purpose of the proposal was to confer a grandfather clause on provinces which had already adopted their own guidelines, and which had succeeded in having them recognized by the federal government. Why such a clause?

First of all, my fellow citizens will have understood that there is not exactly an atmosphere of total confidence reigning at present. When, as it has clearly done in its bill, the government keeps all of the doors wide open, when it does not yield even one inch of a virtually absolute discretionary power, there are grounds for wondering where it is headed, and how it plans to exercise its powers. If the past is any indication of the future, Quebecers will have to brace themselves for more federal government imperialism, especially from the present government.

What is more, even in a context that is relatively more harmonious, in most areas the parties often deem it more prudent to have a "grandfather clause" in order to ensure stability, whether for a business contract, a collective agreement, or an agreement between governments.

Considering the huge efforts invested by a government in drafting and passing total legislation on support payments, it can be readily concluded that there are grounds for preserving acquired rights for some time to come. That is what the official opposition tried to do on Monday. That is what the government refused to do on Monday, on purely partisan grounds, if I dare say so.

If we look at this rebuff in the context of the fine promises of November 29, 1995, it is patently obvious that the Liberal government has no intention of modifying one iota of the legislative process in recognition of the distinct society and to show respect for the governments closest to the people.

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• (1630)

The members of the Bloc Québécois did not need this further evidence of the hollow statements and promises made by the Prime Minister and his team. However, Quebecers have now seen once again that they have nothing more to expect from the federal government.

In concluding, I would like to point out that the official opposition will vote for this bill only because members of the Bloc Québécois believe in the value and importance of guidelines for child support payments.

We will vote for this bill because we support the principle, because we believe that guidelines will improve the quality of life of women and children, of Quebecers and Canadians. We will vote for this bill because we believe in a more just society, a society where poverty will no longer be the fate of a large part of the population.

We will vote for this bill because we set a priority on principle and the well being of our fellow citizens. Certainly not because we believe the bill is adequate in its final form. That is what I wanted to say this afternoon. Certainly not because we appreciate the overly paternalistic attitude of the present government. That is what I wanted to deplore this afternoon.

[*English*]

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Madam Speaker, I rise today to speak to Bill C-41. This bill establishes a framework for the use of child support guidelines and measures to tighten enforcement of support orders, to be effective May 1, 1997. It amends the Divorce Act, Family Orders and Agreements Enforcement Assistance Act, the Garnishment, Attachment and Pension Diversion Act and the Canada Shipping Act.

It is my understanding that it does not apply to unmarried or separated persons but it is expected that the provinces will enact similar legislation and that the provisions will be applied unilaterally in the provinces.

It is assumed following the passage of Bill C-41 we can expect changes to the Income Tax Act to make child support payments taxable in the hands of the non-custodial spouse, or ex-spouse in this case.

This bill follows a federal-provincial territorial task force report which did encompass the areas of custody, access and maintenance. It is interesting to note that this bill virtually ignored two-thirds of that report and simply went to the issues of child support guidelines and enforcement.

This bill passed report stage on November 5 and the Reform Party did express concerns and amendments at that time. First was the consideration of the appropriateness of the process of guideline

review. Those guidelines are out of sight of public scrutiny and are not as flexible as we felt would be necessary.

Second was the consideration of the payment and the ability to pay and who it was that would be taken into consideration in the payment of the child support.

Third was the lack of direction in the root causes and the damage done through divorce proceedings and substantive measures to address those root causes. That involves the issues of access and the process of the divorce itself. I will be addressing these topics today.

It is not often that the Divorce Act is opened up and when it is, it is an important enough topic that Reform feels that surely the government should take the time and the effort to do what is necessary, to do what is best in this area. Today I ask this government what indeed are the best interests of the child. Certainly that is an issue that surrounds this whole issue of divorce, one that needs to be answered in relation to the issue of divorce.

To whom do our children belong? Do our children belong to one parent, both parents or do our children belong to the state? How best do we address the needs of these children through what we all know is the painful and often destructive process of divorce?

• (1635)

These questions I fear are not well addressed in this bill and today I would like to speak to that. Divorce indeed is a tug of war between parents and perhaps the interests of government and how it then proceeds to oversee that tug of war.

On the issue of the differences, I can see three principles where the Reform Party would differ from the Liberal Party, and certainly in my discussion today I would like to bring these out. These are principles, not the specifics of the bill. I will mention them now so that these can be considered as we look at the elements of the bill.

The first principle is the importance of families in our society and the importance of government to support those families. I am afraid in so much of what I see in what this government does. It has forgotten that basic fact. Here we have a government wedded to the idea of big government that would like to tax families into oblivion with the stresses that come with the taxes that they give, families that have to work half a year simply for the government and then in light of that earn less and less each year as they work harder and harder.

This government has forgotten the value of parenting and perhaps even it has forgotten that within the family context divorce hurts. Divorce hurts the families. The family breakdown now is epidemic, going up 400 per cent in the last 30 years.

The root causes of many of our social dilemmas and the stresses that we see I believe can be found in this very epidemic that we see, whether it be youth crime, whether it be suicide among our youth, whether it be the welfare rolls or poverty itself that concerns each

of us in this country and in this place. What are the root causes? Much of it can be traced back to this very institution we talk about today.

Divorce hurts families. It hurts parents, it hurts the grandparents and those around and, I would put to the House today, most of all it hurts the children that watch it all go by.

The second principle is we have a government that is seized with its own importance, a government that thinks that government can solve all the problems, a government that thinks coming to a bill such as this in an easy, fast manner, that wants to put a legislative, legalistic quick fix to a problem that is much too major. It shows a mindset of a government that is set on itself, a government that believes in lawyers rather than people, a government that would make decisions behind the closed doors of an order in council rather than bringing them to a public place where they can be discussed.

That is the kind of government that we see at work, a government that would spend millions of taxpayer dollars on poverty programs but forget to solve the underlying issues, thinking that government can solve these things and forgetting that it is people and the families in which they live who solve the problems that are causing these very stresses; a government quite frankly that is stuck on itself.

The third principle is true equality, the equality in the processes that this government oversees, the equality of men and women, of two parents coming into a situation such as divorce, both senior partners treated with dignity and equality in the process the government puts forward.

These three issues, the importance of family, the overriding intervention of government and equality of people in the processes, are the three principles that go through the discussion that I want to bring to this place today.

I would put to the House that the government's solution, as proposed in Bill C-41, is really no solution at all. What it does is create greater inequity within our families. It creates greater insecurity within our families, greater potential rancour within the divorce process and greater potential economic loss to the parties involved with the potential need for greater litigation.

• (1640)

There are several concerns that I want to bring forward today which are specific to the bill. First is the guidelines, their control and application.

These guidelines will not be developed within the House of Commons. As the justice minister mentioned, there will be a review in five years and I do commend the government for putting in place a specific review process. But in the meantime these

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guidelines can be adjusted and changed. Again, I agree with the adjustment factor for the guidelines. However, I disagree that the adjustment be made behind closed doors, without accountability to the Canadian public. This is much too important.

The principle of order in council, behind closed doors government decision, I remind members on the other side, is something they spoke out against when they sat on this side of the House. Again in this legislation, as in other legislation, there are regulations, orders in council determining the direction of things that affect Canadians in a very real and important way.

The process of the review of the guidelines must come back to Parliament, back to the committees of this place. The process must be accountable to Canadians. The pattern of the government is all too common. It shows that the government again thinks too much of itself and too little of the Canadian people.

How would the guidelines be applied? How would they actually work in the lives of Canadians who are already in distress, in a situation which is causing them and their children much pain?

I feel that the principle of the guidelines is well intentioned. Largely guidelines can bring about a fairer process. They give parameters wherein perhaps we could have a system that would treat those involved in a fair and equitable way.

The system that existed before these guidelines were put in place was criticized for producing different awards for individuals in similar situations. It was felt that it allowed too much judicial discretion. Therefore people who were in identical support situations but with different judges and in different provinces would receive vastly different awards. The new system will produce similar awards but for very different scenarios or circumstances. In effect, we have taken the danger from one side and actually overcompensated. The solution suggested by the government could be just as dangerous and just as unfair for the Canadians who will be using the system.

The system for which the guidelines are proposed is constructed on the assumption that the non-custodial parent is basically a source of funds and that the custodial parent has the exclusive care of the child or children involved in the divorce. This is a simplistic approach to the issue. It could be a detrimental approach to the families that go through this painful procedure.

• (1645)

The first thing I would like to do is put forward our concerns about the guidelines. The process that is put to the guidelines withdraws the joint financial responsibility from the parents; it is one parent's single responsibility for the support of the children. The non-custodial parent is exclusively considered the source of the funds for the support of the children.

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One part of the bill calls for the removal of section 17(8) of the original Divorce Act which states:

A variation order varying a support order that provides for the support of a child of a marriage should

(a) recognize that the former spouses have a joint financial obligation to maintain the child; and

(b) apportion that obligation between the former spouses according to their relative abilities to contribute to the performance of the obligation.

I repeat that this section has been removed. Reference to joint financial obligation or relative abilities of both former spouses is removed. Perhaps this is the most apparent place where the underlying function of the guidelines is clarified. Within the guidelines and the setting up of the guidelines and as I said with the removal of this section it becomes very apparent there is no longer joint financial responsibility for the support of the children.

A child is the product of two parents. Until a divorce is encountered, there is a shared responsibility for the support of that child. It is worked out between the parents and in no way does society dictate that one should support and one should not. The choice is there and should be there for both parents. That child then walks into a court with the two parents and within a few minutes, on a variation of an order, when that child walks out of the court the financial responsibility for the support of that child rests solely on the non-custodial parent. The guidelines are based on one income only and the ability to pay of that one income only.

Given the situation of a professional custodial parent and a non-custodial parent who perhaps works on commission or works seasonally or whatever it might be, it seems to me to be unfair to say that one is sole owner of the responsibility for support of the child when indeed both could work that out together.

Presently in order to change that or to revise it, perhaps at the time the decision is made the non-custodial parent is able and will be determined to be able to make that support, but the only review of that situation would be based on undue hardship. Again it would still fall back to the non-custodial parent. In the meantime, the custodial parent could have resources far beyond those of the non-custodial parent and be willing to use those resources.

This system suggests an unequal value to the ability and the desire of parents to put their resources toward their children. The way this system is put forward, it is not the ability to support the child that determines who supports the child but simply who does not get custody of the child.

• (1650)

If we think of that, the very rancour in the divorce proceedings centres around the custody battle. The changes to the Divorce Act the last two times it was opened—the only two times it was opened—with no fault divorce were to make the litigation process

quicker, easier and less rancorous. However, battles are fought on custody considerations. Now something has been added to that battle.

Not only does the battle concern custody but the battle for custody will dictate a winner and a loser. I would suggest that the winner takes all. The winner takes the child, the winner takes what is given within the custody order. The loser loses the child and instead becomes the payer and is completely responsible for the support of the child. The ante increases in the custody battle. There is a winner and there is a loser. Not only is there a loser in the decision of who will be the non-custodial parent, but within this extended battle the loser is the child who sees the rancour involved.

The guidelines ignore the non-custodial parenting process outside the support payment responsibility. As we have said, the non-custodial parent is fully responsible for the support payment, which is based solely on the non-custodial parent's gross income. The parent in this process is defined simply by the dollars and cents they will be giving to the child, the dollars and cents that will be ordered for payment within the child support decision.

There is no allowance in the process for any expenses, direct or indirect, no matter how significant they may be, which the non-custodial parent may put toward the child they will be supporting. The guidelines completely ignore any other support in the form of expenses. The guidelines cannot be challenged without proof of a condition of undue hardship.

What about a non-custodial parent's costs for housing, transportation and food, or costs in their activities with the children? These are not even considered, nor can they be within the guidelines. This results in a very great inequity in the value of parenting between the custodial and non-custodial parents. Perhaps worse, it may be a disincentive for a non-custodial parent to put resources toward the child.

They will pay the same award regardless of how they interact with the children after divorce. The non-custodial parent who spends one day a week with their child will have the same order as one who spends three hours with their child, or perhaps one who spends every other month with their child. The actual child support guidelines will give each an identical award.

I see this as the government's lack of recognition of the value of parenting. A non-custodial parent is a parent, as is a custodial parent. Both have valued input to the child. That is not recognized and there may be a disincentive for that activity. This will lead directly to greater custody battles. If payment is all that counts, once someone becomes a non-custodial parent perhaps the custody becomes all that much more valuable. Perhaps this too gives a greater chance of payment delinquency.

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● (1655)

In my riding and in meetings, non-custodial parents already feel abandoned by the system. Anger and betrayal are felt by non-custodial parents. They care about the children of the families that have been broken up. They have been affected in very real ways by the break-up of the marriage. It has been shown that children are affected in very real ways by the removal of one parent. They are affected by the rancour of a divorce proceeding. There is already enough anger in the court decisions and in the access problems. We need no greater anger or greater potential for anger.

The government claims that the guidelines will ease tensions and expedite the process. As I have said, the main area where acrimony arises within divorce is within the custody proceedings. By putting these guidelines forward and the way that these guidelines work, the government has upped the ante on the battle that will go on in the custody courtrooms of this nation.

This legislation means there will be more to lose in the process for the loser and there will be more to win for the winner. There will be more rancour in the process and unfortunately, the children of divorce will be caught in the middle.

Outside the guidelines, the second major portion of the bill would be the enforcement considerations that have been proposed. The Reform Party strongly supports compliance with court orders. It supports justice being done. It supports people obeying the law.

The Reform amendment that was put forward suggested that more notice be given for federal activities such as the withdrawal of passports or federal licences for the fairness of all concerned. We also recognize that the present statistics of non-compliance are indeed shocking. We want more investigation done about the reasons for this non-compliance and the sources for this data. The reasons are incredibly important. Unfortunately, because investigation has not been done on why or how the information has been gathered, we must speculate on what the reasons are for the non-compliance.

An interesting study was done in 1992 in the United States by the general accounting officer. Typically when people are investigating non-compliance, they ask the custodial parent what the situation is. In the study 66 per cent of custodial parents reported not receiving child support because the non-custodial parent was unable to pay.

Part of this legislation is the ability to pay. I would hope that indeed the guideline is met by the judges and the guidelines that are put forward. It would seem that most people feel the guidelines are a good start in that direction.

● (1700)

The three best predictors of compliance are the fairness of the original order, the non-custodial access to the child and the work stability of the non-custodial parent.

The fairness of the original order depends on the reasonableness of the guidelines. As I have already mentioned, the guidelines which have been put forward ignore the value of parenting and certainly the value of co-parenting. The fairness of the order must be flexible. The guidelines must allow flexibility. They should include flexibility beyond simply a condition of undue hardship. The fairness of the original order depends on a workable review of the circumstances and an equitable review of the situations of the two parents and their ability to pay support.

One of the predictors I mentioned was the work stability of the non-custodial parent. Part of that depends, of course, on employment opportunities. The unemployment rate stands at 10 per cent. That is affecting non-custodial parents who want to support their children and comply with court orders. The 10 per cent unemployment rate is very much a part of the problem which non-custodial parents face.

The final predictor which I mentioned was non-custodial access to the child. This is a determining factor of compliance. While it cannot be linked directly, however, one does affect the other. Access goes to the heart of the matter when it concerns non-custodial parents. Access and the issues surrounding it underlie the value of parenting.

In the report of the provincial-territorial task force, access, custody and support were interwoven. Divorce, access, custody and support issues cross federal and provincial jurisdictions and take us into territory which is confusing to both judges and the people going through divorce proceedings.

In B.C. in the 1980s an experiment was carried out in a family court. Federal and provincial jurisdictions were combined under one roof.

Another experiment was carried out in Manitoba in 1989. It investigated legislation that would enforce court awards that granted access of the children to non-custodial parents. It was a pilot project. It was different in that it provided access assistance. It did not enforce access. Rather than necessitating a court proceeding, it offered assessments, counselling, supervision, conciliation and arbitration. Going to court in this process was a last resort. Even then if the parties found that court was necessary for an access determination they had help available through this pilot program of assessment counselling and supervision.

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• (1705)

As I looked at what was brought to me by different individuals in terms of access, there are three kinds of access available. The first is called reasonable access awarded. In perhaps two-thirds of cases this would be the norm. It assumes communication between the parents and that access is negotiated through that communication but sole custody would generally be allotted to one parent. It is less flexible than it sounds in that it tends to be specific but not specific through a court order or a court agreement. Reasonable access is then left up to the parents to determine the details.

It is this very process of reasonable access awarded by the courts that seems to be open over time to changes, in some cases abuse by one spouse or the other. It can lead both partners back to repeated court visits, demanding perhaps court orders to make it work.

The new system proposed would not be helpful in this type of situation. About one-seventh of orders are specified access and that is when non-custodial visitation rights are given within certain time limits. This is specified in the court agreement or in the court order. This might be a second step for a couple from reasonable access to specified access. However, couples find that within the process there is little or no enforcement of access orders provided within the court, within the system that gives them.

Within this legislation there are no enforcement measures proposed for this important area. It has been suggested to me that the provincial enforcement agencies that are proposed to enforce the child support orders could also enforce the access orders, but this has been totally ignored by the proposed government legislation.

We have reasonable access or specified access but from what I have seen the most reasonable and positive is the award of joint custody. Perhaps 20 per cent of divorce cases go toward joint custody. Sometimes it is *de facto* and sometimes it is *de jure* situations but mostly through court ordered situations. That is where parents agree to share the custody and the decisions, including access to their children. In most cases it is extremely flexible. With joint custody it can be equal or it can be that the children are mostly with one parent, but it is a custody and access decision that has flexibility without the winner and without the loser implications that we have discussed.

It does not regard children as property to be bartered over but as something valued by both parents and can be taken care of and parented by both parents. It is interesting to note in terms of enforcement and the compliance to a child support order that the best case scenario is found in joint custody arrangements.

The member for Prince George—Peace River has put forward a private member's bill, Bill C-242, that would make this type of arrangement, joint custody, the rule instead of the exception in divorce proceedings. This indeed would address the enforcement

of child support and the whole issue of child support in a far more positive way than what we see within the present bill.

• (1710)

The government version that we see today is actually a disincentive to this type of arrangement which allows both parents to parent and both parents to dialogue. According to the government version if this joint custody is what is decided, then the guidelines must minimize the differences in the standard of living in the two households. This is a unique situation and applies to the joint custody arrangements. This implicitly then includes the entire households involved with the two parents. It includes spouses, it includes children, it includes changes in circumstance and it is very difficult. It is very hard to imagine how this will work, with changing circumstances, new families and ongoing circumstance provisions.

Someone deciding how they will have access and custody orders made would see joint custody arrangements as having a greater potential for invasion into the privacy of their home, greater potential for acrimony in the decisions and unpredictable obligations of child support in future years.

It would be less likely for spouses to take a chance on joint custody because of the unpredictability of what their obligations might be.

As I mentioned, this is the best approach. Yet this legislation would penalize those who would potentially want to take this best approach of joint custody. It would penalize those who would look at their responsibilities of shared parenting with the greatest importance. Those who want to contribute most in the co-parenting process would actually be discouraged from doing so.

What is the purpose of the Divorce Act? I would like to say that it is to protect the best interests of the child in difficult circumstances. It is to protect strong family ties and try to keep a connection with those ties and with those family members both in the process and after the process of divorce.

This takes me to my final point, rethinking the whole divorce process. A recommendation of the law society would remove the adversarial approach. I say that the process needs change. The process should go to a unified family court. The process, to be optimum, should go to compulsory mediation that would force communication rather than adversarial approaches. It would protect the best interests of the child by putting connection between the members who are going through divorce.

The Liberal version is big government, unbalanced responsibilities and rights and a blindness to the child's best interests. We need a balance to the roles of parents, equal treatment of the spouses, valuing the role of parents and making government accountable for its actions and motivations.

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The Deputy Speaker: I am sorry to indicate to the hon. member that her 40 minutes has expired.

[*Translation*]

It is my duty, pursuant to our Standing Orders, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Malpeque—Agriculture.

• (1715)

[*English*]

Mr. Gar Knutson (Elgin—Norfolk, Lib.): Mr. Speaker, it is an honour to speak in support of Bill C-41. I encourage all members to support the legislation.

I say with the greatest respect that after listening to the speech of hon. colleague from the Reform Party, I think at times we are looking at a very different piece of legislation. This bill will make support orders more fair. It will make them more consistent. It takes into account the income of both parents.

Ms. Meredith: Have you read it?

Mr. Knutson: I have read it. It helps with dispute resolution at a very difficult time. It is in the best interests of children that the legislation go ahead.

I would like to emphasize that Canadians, regardless of what political party they support, or what part of the country they are from, share some fundamental values. One is that children should come first. All of us in the House acknowledge that children, by the very nature of their childhood, are vulnerable and powerless and that their interests should be put first and foremost in every piece of legislation affecting children. That is what this legislation does.

Those values make up an important part of providing the framework for the legislation. The legislation will provide adequate and consistent child support levels. Those values should respect fathers who make their payments and make sure that those who are obliged to pay actually do.

The starting point for understanding this legislation is to understand that the Canadian family has changed dramatically over the last 20 years. I agree with the sentiment of the Reform Party that oftentimes those changes are not for the better. I do not think any of us are particularly comfortable with the rise in family break-up and divorce.

Over the past 20 years families headed by an individual parent have doubled in number. There are almost one million such families in Canada. In 1990, 61 per cent of single parent families headed by women lived below the poverty line. That is an extremely difficult social problem. It is not the fault of government per se, it is a combination of a number of factors. But government needs to address the issue.

The poverty level for single parent families headed by women is at 61 per cent compared with just 10 per cent for two parent families with children. While the steps taken in this bill will not end child poverty, they are an important part of the Liberal government's program to try to alleviate child poverty.

This measure derives its value from shared principles that we have as Canadians. First is the principle that children should be first in line. These reforms will put them there and keep them there. Child support is the first obligation of parents.

Second is the principle that a child's standard of living both before and after divorce should reflect the means of both parents. These reforms make sure that it does. Children are a shared responsibility of both the mother and father and the income of both parents should be taken into account. A divorce does not change that.

Third is the principle that people in like circumstances should be treated in like fashion. The guidelines mentioned by my hon. colleague are a core part of this legislation. They will ensure that a couple with children who are getting divorced in British Columbia and are in virtually the same circumstances as a couple getting divorced in Ontario will by and large pay the same amount of support for their children.

The strategy that the government has adopted has four interdependent elements. We are introducing child support guidelines to establish appropriate and consistent support levels and reduce the degree of conflict between separating parents. Anyone who has first hand knowledge of a divorce knows that it can be extremely acrimonious and at the end of the day children ultimately are the losers.

The government is also changing the way the child support payments are taxed to make things fairer and simpler. Furthermore, it is enhancing federal and provincial enforcement measures targeted at the wilful defaulters. We are helping working poor families by doubling the level of the working income supplement of the federal child tax benefit over the next two years. I would like to talk about each of these items in a little more detail.

First is the guidelines. As mentioned in my opening remarks, the guidelines are about consistency. We all know and I think agree that consistency is a fundamental part of justice. At the heart of this approach, the guidelines will be used across Canada by the courts, by lawyers and by parents to establish appropriate levels of support payments for children. At present, courts determine support payment levels on a case by case basis. Too often they are inconsistent and it means that somewhere Canadian children are the losers.

• (1720)

The issue of the lack of consistency prolongs litigation and adds to the anguish of parents. Unfortunately, not all judges take the

Government Orders

same approach or have the same philosophy. As a result, levels vary greatly not just across Canada but even from family to family.

The amount that is available to pay for a child's needs should not depend on which province one lives in or to which court room the case is assigned or which party has the more persuasive lawyer. The guidelines will establish without the need for a trial the levels of child support to be paid according to the income of the person paying. The amounts are calculated by a formula that takes into account average expenditures on children at various income levels. If income levels increase or decrease so will the parent's contributions to the needs of children, just as they would be if the family had remained together.

The guidelines are standard but they are also flexible. They allow for particular circumstances, such as child care costs and uninsured medical expenses to be taken into account when assessing the award. Furthermore, a court can also change the amounts if undue hardship can be established.

This approach has tremendous strengths. It is simple and it is standard. It ensures that support paying parents with the same level of income will pay the same amount of child support.

Second, I would like to deal with the issue of tax treatment. As most of us know, the change we are making has been controversial. I support the changes to the tax treatment for a number of reasons. Currently child support payments are tax deductible for the payer and taxable for the recipient. This rule was put in place 54 years ago and it needs to be changed.

Child support is not income for the parent but is money intended for children and as such it should not be taxed. While I am not divorced, when I spend money on my children it is not tax deductible. If I were to become divorced why should it become tax deductible if it was sent to an ex-wife?

Even when incomes are different, the courts often times do not take into account the tax liability. Therefore, by making this rule it will be taken out of the equation.

The no deduction, no inclusion approach will not come into effect until May 1, 1997. It will apply to all new awards made after that date but it will not apply after that date to existing awards unless parties agree or unless a court directs that the changes be made. By waiting 14 months, Canadians everywhere, as well as the provincial governments, are being given the time to adjust to these new rules.

The second most important part of the bill is the area of enforcement. The guidelines or any law for that matter are absolutely useless if we do not have the appropriate enforcement in place to make the law work.

Let me make it clear from the outset that I acknowledge that the vast majority of parents make their payments on time and deserve

our respect. These parents take their responsibility seriously and they follow through. I want to point out emphatically that this bill is about the chronic defaulter and the enforcement provisions in it will apply to people who are far too many in number but by and large are not typical of the majority.

Wilful and chronic default by people who can pay but refuse to pay child support is simply unacceptable. The bill will do a number of things. Let me just mention a few of them. Federal legislation will authorize us to suspend federal licences and certificates such as passports in cases of persistent default. The provinces will be allowed access to the database of Revenue Canada to help trace persistent defaulters. Money and effort will be invested in upgrading computer systems to share information among the provinces to help in co-ordinating their efforts.

Some of these measures may seem particularly harsh, but when one looks at the consequences of defaulting parents and the negative effects it has on children and the fact that often the family in which these children live have to go to food banks and incur the negative effects of poverty, these measures are appropriate.

The fourth pillar in our child support strategy is the doubling of the working income supplement. I take a particular amount of pride in this measure because I was part of a group that lobbied the government to double the working income supplement. When the working income supplement was brought in by the previous government it was placed at \$500. It is a tax free benefit that goes to working families with an approximate net income of \$25,000.

• (1725)

It recognizes that sometimes there is a cost when someone moves off welfare into the work force. It gives people an extra incentive to move off welfare and into the work force. The government has decided to double it to \$1,000 and I applaud it for doing that.

I would like to point out that the working income supplement is tax free and will go right to the bottom line for families who need dollars for their children. It is distributed fairly, benefiting children of separated families and families that remain intact. It is targeted to those most in need.

In conclusion, these guidelines will ensure consistent awards at the appropriate levels with diminished conflict and expenses. A tax rule that reflects the social conditions and the values of 1942 will be changed to conform to current needs.

Effective tools will enhance enforcement so that the people who make their payments will know that those in wilful default will be pursued. Every dollar of increased revenue that Ottawa derives from the tax changes will be ploughed directly back into the system for the benefit of children in low income working families. I ask all members to support this bill.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I listened to the speech made by my Liberal colleague. There is an issue on which I would like to hear his opinion because he did not address it. As we know, the Liberal government often claims to recognize Quebec's distinctiveness. It says it adopted certain motions to that effect and even accuses the Bloc Québécois, the official opposition, of complaining for no reason since, finally, the Liberals are recognizing Quebec's distinctiveness.

As far as Bill C-41, an act to amend the Divorce Act, is concerned, everyone knows that, one, the Constitution gives the federal government jurisdiction in this area and, two, Quebec has some very special demands. We know that the National Assembly would have liked to be consulted more extensively. It particularly wanted the federal government to specify in the clause dealing with guidelines that it would recognize any guidelines adopted by the National Assembly.

I am asking the hon. member opposite, whose Liberal government likes to brag about its recognition of Quebec's distinctiveness, if he agrees that, if the government really cared about this, it would have provided for Quebec's distinctiveness in Bill C-41.

Why does this bill not provide for Quebec's special legislation? Yes, it deals with divorce, but it is mainly concerned with children. The main purpose of Bill C-41 is to protect children, to pursue a family policy Quebec is developing, as we clearly saw last weekend.

I am asking the hon. member why Bill C-41 does not make special provision for Quebec's distinctiveness?

[English]

Mr. Knutson: Mr. Speaker, I thank the member opposite for his question. I would like to make a couple of points. The way his question came over the translation it was why does the federal government not bind itself legally and put it in the bill?

I would like to remind the hon. member that the only way the federal government can bind itself is by changing the Constitution. The government cannot bind future Parliaments.

If the hon. member would like to engage in a discussion on how we should change the Constitution to deal with these issues, I would be fully prepared to have that discussion with him. From what I understand, it is the position of the Bloc Québécois and the Parti Québécois that they are not interested in a constitutional question.

The issue also raises a broader point. In the current Canadian federal system two people can move in together, not get married, have children and become separated. The rules that apply to their separation and how the children are dealt with are all within provincial jurisdiction.

Private Members' Business

We can have two other people who happen to get married and have children and yet the rules that apply concerning their children when they break up are dealt with under the federal system. That does not seem to make a lot of sense these days. It should be dealt with constitutionally.

I would invite members opposite to enter into a discussion of how we can change the Constitution while taking fully into account the distinct society in Quebec. We could try to find a way to make the country work better for all Canadians, including all Canadian children.

And the bells having rung:

PRIVATE MEMBERS' BUSINESS

[Translation]

CANADIAN BILL OF RIGHTS

The House resumed, from November 5, consideration of the motion.

The Deputy Speaker: It being 5.30 p.m., the House will now proceed to the recorded division on Motion M-205 under Private Members' Business.

Call in the members.

● (1750)

And the bells having rung:

[English]

The Deputy Speaker: As is the practice, the division will be taken row by row, starting with the mover and then proceeding with those in favour of the motion sitting on the same side of the House as the mover. Then those members in favour of the motion on the other side of the House will be called.

Mr. Nunziata: Mr. Speaker, I rise on a point of order. As you know, members of Parliament, other than by the usage of the bells, are not notified of when votes take place in the House. This is especially of concern to members of Parliament who do not belong to a particular caucus. There are some 15 of them in the House of Commons. These members of Parliament are not advised.

My office called the clerk's department and there is no procedure in place for those members of Parliament to be told when a vote takes place and, in my view, that affects the ability of these members to adequately represent their constituents.

We are about to vote on a matter and I am not aware of what the nature of that matter is.

Private Members' Business

The Deputy Speaker: The hon. member will know that the projected order of business does give the time of the vote. In fact it gives the time of the vote for tonight.

I appreciate that sometimes that does not happen. The member is quite right that sometimes there is no indication of a vote, other than the bells. I appreciate the point he has made to the House.

All those at my left in favour of the motion will please rise.

(The House divided on the motion, which was negated on the following division:)

*(Division No. 166)***YEAS**

Members

Abbott	Ablonczy
Benoit	Breitkreuz (Yellowhead)
Breitkreuz (Yorkton—Melville)	Bridgman
Cummins	Duncan
Epp	Frazer
Gilmour	Gouk
Grey (Beaver River)	Hanger
Harper (Calgary West/Ouest)	Harper (Simcoe Centre)
Hart	Hayes
Hermanson	Hill (Macleod)
Hoepfner	Johnston
McClelland (Edmonton Southwest/Sud-Ouest)	Meredith
Penson	Ramsay
Schmidt	Speaker
Strahl	White (Fraser Valley West/Ouest)
Williams —31	

NAYS

Members

Adams	Anawak
Anderson	Arseneault
Asselin	Augustine
Bachand	Barnes
Bélair	Bélanger
Bellehumeur	Bellemare
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Bertrand	Bevilacqua
Bodnar	Bonin
Brien	Brown (Oakville—Milton)
Bryden	Byrne
Cannis	Canuel
Caron	Catterall
Chan	Chrétien (Frontenac)
Clancy	Cohen
Collenette	Comuzzi
Copps	Crête
Culbert	Cullen
Davault	de Savoye
DeVillers	Discepola
Dromisky	Duceppe
Dumas	Easter
Fillion	Finestone
Finlay	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Gerrard
Godin	Goodale
Guimond	Harb
Harvard	Hopkins
Hubbard	Iftody
Irwin	Jackson
Jordan	Knutson
Lalonde	Landry
Langlois	Lavigne (Beauharnois—Salaberry)
Lebel	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Leblanc (Longueuil)	Lefebvre
Leroux (Richmond—Wolfe)	Leroux (Shefford)

Lincoln	Loubier
MacDonald	MacLellan (Cape/Cap-Breton—The Sydneys)
Malhi	Maloney
Marchand	Massé
McCormick	McGuire
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Ménard	Mercier
Minna	Murray
Nunez	Nunziata
O'Brien (London—Middlesex)	O'Reilly
Paradis	Patry
Payne	Peric
Peters	Phinney
Picard (Drummond)	Plamondon
Proud	Regan
Richardson	Rideout
Robichaud	Skoke
Steckle	Szabo
Telegdi	Terrana
Torsney	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Ur	Vanclief
Venne	Verran
Volpe	Walker
Wells	Wood—124

PAIRED MEMBERS

Assadourian	Bélisle
Bergeron	Calder
Chamberlain	Cowling
Dalphon-D-Guiral	Debie
Deshaies	Dubé
Flis	Gaffney
Gauthier	Graham
Guay	Jacob
Laurin	Loney
Mitchell	Murphy
Paré	Peterson
Pomerleau	Proud
Reed	Rocheleau
Sauvageau	Speller
St-Laurent	Whelan

● (1755)

(Motion negated)

The Deputy Speaker: It being six o'clock, the House will now proceed to today's Private Members' Business.

* * *

PROGRAM COST DECLARATION ACT

Mr. Alex Shepherd (Durham, Lib.) moved that Bill C-214, an act to provide for improved information on the cost of proposed government programs, be read the second time and referred to a committee.

He said: Mr. Speaker, it gives me great pleasure to start debate on Bill C-214.

The people want to turn the light on the departments of government that are spending their money. They want to be part of the process of government spending and not merely the recipients of the bills through income taxes after the money is spent. They

want to return to the origins of taxation when individuals gave their specific consent to be taxed.

Many look in mystery as they study their weekly pay cheques. They are mystified that so much is gobbled up by taxation and they are at a loss to understand how they were part of a process that allowed this to happen.

Over 55 per cent of our total personal income is accounted for by all forms of taxation, from income taxes, sales taxes, payroll taxes and municipal taxes. Government expenditure is a great confusion to the public. It is an attempt to clarify and shed light on this darkness which my bill before us tonight addresses. The whole concept of taxation was originally based on consent, the consent to be taxed for things which we considered common good, for example sidewalks, snow removal and armies.

I have practised as a tax advisor to many Canadians and not just the wealthy but also those to whom I have donated my time. The common theme was did we consent to this level of taxation. Why is it important and why have we succumbed to this state of affairs when Canada's tax rates are the second highest in the western world? Graduates of Waterloo university are encouraged to leave the country because of a promise of lower tax regimes south of the border.

Did people rationally weigh the cost of programs which have pushed us to this dilemma? Indeed there are those who think by simply balancing the annual deficit it is good enough, as if we should continue to carry a mortgage of this magnitude forever.

What has caused us to create a deficit of over \$600 billion? How can we prevent this situation from repeating itself? This is the real purpose of Bill C-214. People have lived in the dark over the cost of government programs. This does not mean we should turn every citizen into a bookkeeper or an accountant. We have to do away with a thought process that someone else is paying the bills.

I often encountered this philosophy in my professional life. People thought it was their next door neighbour who was paying for programs and not them. The reality of course is that nothing is for free and in one way or another we are all contributors. People want to get out of the darkness and turn on the light.

This is the purpose of this legislation. We have bureaucrats who spend endless hours studying government programs. Indeed recently in the October report from the Treasury Board the minister stated: "We must equip ourselves with better systems for evaluating the actions of government so that we can genuinely answer for our actions, first and foremost to our fellow citizens who are both clients and taxpayers".

Private Members' Business

Our government has come a long way in bringing fiscal responsibility back to government, from an annualized deficit of \$44 billion down to \$17 billion. We are on the road to financial responsibility.

The problem that gave rise to the original issue has not been solved. Simply put, everyday people did not understand the process or consent to the process that removed over 55 per cent of their disposable income. I suggest that because of this lack of consent we have watched a burgeoning underground economy and people taking their investments offshore.

Thomas Jefferson stated the people are collectively wise. That is why I believe this legislation will turn the lights on for those who pay the bills. It will allow them to be included.

• (1805)

This bill will not give everybody an economic overview of government but it will encapsulate the costs of specific legislation. It will make the information readily available to the public and to parliamentarians. Think of it, a bill that would shed light on the back rooms of Ottawa where people spend our money.

Members of Parliament jump up and down here all week long. They vote on legislation when many have not the slightest idea of its fiscal impact on individuals and the economy in general. This is because this information is not readily available. This legislation would empower them. It would give them more information and make them more effective in representing their constituents. Accountability is what it is all about. The public is clamouring for it and who are we to deny its rights?

The critics of this bill state two basic objections, that the process itself will increase the cost of government and it will inhibit the legislative agenda of the government. First, the government has prided itself on its program evaluation system which analyses the cost benefits of government programs. This is part of a program known as program review. The tool for doing this is a process called expenditure management systems. This is all very well and good as far as it goes.

The problem is all of this examines costs and benefits which have already occurred. Clearly knowing that programs have been efficient or otherwise is useful but the taxpayer will already be stuck with the bill. We are spending millions of dollars to conduct this after the fact review. It would make more sense to bring this examination process forward to the initial stage of legislation.

There is no question that with a greater degree of financial control and scrutiny the government will save more money than any incremental cost of having bureaucrats cost legislation prior to its introduction as opposed to after it is in full swing. Simple common sense tells us that better cost efficient decisions are made

Private Members' Business

when people assess them prior to their commencement than after the costs have been incurred.

A press release that was issued this morning by the Canadian Federation of Taxpayers states: "Taxpayers could save billions of dollars if the House of Commons votes to pass Bill C-214, the program cost declaration act, introduced by the member for Durham, to be voted on today"—which is not quite true—"at second reading. It would require government departments to provide a cost analysis for each new bill". The federation has stated that billions of dollars could be saved for the taxpayers of Canada.

Second is the concern that this will inhibit the legislative process. It seems to me this argument goes back to regimes of the past. Nobody would go down to a car lot, look over the car, agree to purchase it, drive it away and say "send me the bill" without knowing the cost, and neither should government. This is the whole point of this legislation.

Past governments have promised us all kinds of programs without fully informing us of their costs. A quick look at the state of affairs of the Canada pension plan would leave anyone to conclude that not taking the time or effort to anticipate cost has now led us to a place where we have to make some pretty drastic decisions which will not only affect the younger generations but also some who thought their immediate retirement incomes were secure. What degree of participation did people have in all of this anyway?

It is hard to understand how someone could argue the point of hindrance to the legislative process. It should be part of the legislative process and people should have a right to know.

• (1810)

These are not the issues of the rich but rather the poor and the disenfranchised. As we go through a period of retrenchment of fiscal priorities, many of the poor will be negatively affected. It is to the loss of some of these social programs that this bill directs itself, to the fact that after years of economic expansion that government has extended itself well beyond what it is able to sustain.

Indeed, the auditor general has gone on at length about whether our current levels of deficit are sustainable. That is to say at what point can governments no longer shoulder the cost of servicing the debt? If we have a mortgage on every single Canadian, as our government does, surely these same people have a right to see what the costs are. More important, they want some assurance that we are not going to return to the errors of the past.

This bill does simply two things. First, it requires that the fiscal impact of new legislation be included in a bill at the same time it is

presented in this House. This also extends to the regulations of departments.

Second, it requires that the auditor general certify that the method of cost evaluation was fair and reasonable. I would like to underline this matter. The auditor general is only certifying that the method is correct. He or she has no political interference in the worthiness of programs but simply whether the method used to arrive at the estimated costs was reasonable under the circumstances. I suggest that the parallel in the private sector would be the certification of prospectuses.

Like the expenditures in the management system that we now have in place, the role of the auditor general is what is known as *ex post*. By this I mean he examines costs after they occur. Some of our listeners would equate this to closing the barn door after the horse is out.

This is the whole point of moving this process forward in time. It is small comfort for taxpayers and citizens generally to discover wasteful spending three years after the fact. It only makes them less trustful of their elected officials and government generally. They certainly feel they had no part in the decision making.

By costing legislation prior to its initiation, taxpayers and citizens generally will have available to them the tools by which to judge. It will be up to members of Parliament to justify whether the cost is justified relative to the benefits to be derived. This clearly is what democracy is all about. It makes people part of the decision making of government financing.

I have always had much respect for the people who work for the Treasury Board and also those in finance. I have often thought they were much like a lopsided hockey team where they were the goaltenders and every other department was the offence, all trying to score, and score means budget allocations.

This is why I find it hard to understand why some of them are reticent to accept this degree of accountability. It seems to me that with the support of the general public they will be in a better position to stop the pucks of the spenders of the future. This is the problem. Many legislators equate a zero annual deficit with the end of the story. This legislation would make legislators more cognizant of the cost effects on the general public. Turn the lights on. This is what taxpayers and citizens demand.

Here is what some people are saying about the bill. I have some quotations here. The Auditor General of Canada said: "We share your view that the cost of government programs and operations should be made more visible to Parliament and taxpayers". "I am pleased to inform you that the Certified General Accountant's Association of Ontario fully supports your private member's bill. Your initiative accords with the CGA's Ontario Board of Governors requirements that all action items presented to the board must be accompanied by an explanation of financial implications".

Private Members' Business

• (1815)

Another quote: "Mr. Shepherd's bill is a good first kick at the can and deserves the consideration of all members of Parliament". That was said by James Forrest of the Alberta Taxpayers' Association.

"I commend you for presenting the right type of legislation which will help the public to understand where their hard earned tax dollars are being spent". That is a quote from the president of the Chartered Association of Certified Accountants. I could go on with the list but obviously time will not permit.

We talk a lot about our youth and it is truly the younger generation that will inherit our nation and propel it into the next millennium. Saddling our youth with debts, which they did not incur, will tie their hands. Governments are struggling with this reality as we move toward a more responsible fiscal framework.

It is also appropriate that we conduct a post mortem. That does not mean that we are dead, but it certainly means that financially we are very much on the ground. When we conduct this post mortem we must ask ourselves how this situation occurred in the first place and ensure that we cure the disease so that it will not happen again. That is what my bill attempts to do.

We need to give people the tools to make conscious choices about government policy. Our younger generation will accept nothing else. It is to these people that we address the need for a more consensual form of government.

This is the day after the U.S. election. I was in the United States on the weekend and I actually took part in some of the electioneering. I stopped people on the street and I knocked on doors. The mood was: "They are nothing but a bunch of crooks. It really does not matter anyway". Corrupt election financing practices, together with the fact that people cannot see how they would count, has brought their voter turnout to less than 50 per cent. Imagine, more than half the population of the so-called strongest nation in the world do not consent to their government.

It is this issue which this legislation addresses here in Canada. Turn on the lights and let the people decide. Include them in the decision making process. To do otherwise is to court divisiveness and exclusivity which may well lead to violence.

I have studied many regimes in Australia, Great Britain and the Netherlands that are all moving in the direction of providing more accountability for the actions of government to the people. Think about it. Every piece of legislation that comes before the House would have a cost attached to it. Some in the bureaucracy are going to say it is very difficult to do. But the reality is that we already have an evaluation and internal system of calculating the cost of

programs. It simply means moving the thought process up a little bit closer to the legislative process.

How can we as legislators go around the country talking about various pieces of legislation without understanding the full impact it will have on the economy and on government spending? As I researched this issue in other countries, I found that other parliamentarians were doing much of what I am suggesting: moving in the general area of greater accountability, greater awareness of the programs for the general public.

There is nothing unusual about any of the things I am suggesting. It is done in business every day. I am not saying that government is a business. It is not. We have a very different social purpose here. But government needs to be run a little bit more like a business. People have to know the costs.

• (1820)

My fear is that even though we are going down the road of financial and fiscal responsibility and we have moved the ship of state, if you will, maybe 10 degrees on the course where we want to go, there are people who will move it back the other way and we will be off course again. People want to be part of the process. They want to be involved in the process that allows them to make judgments on how governments spend.

People are not going to sit down with a calculator and figure out how much every piece of legislation impacts them, which is why I have included a clause that says: "divided by the population statistics". That way, everyone will know exactly how much every piece of legislation costs him or her.

This could be a good thing. This is not a negative thing for government programs. It could well be a good thing. For instance, we may find that the cost of day care, if we extrapolate it over our population base, is really quite small. People would have a greater degree of acceptance of that if they saw that it was a small cost on an individual basis. On the other hand, there would be those programs that people would not think were particularly cost effective. They would be able to make those kind of judgment calls.

There will be those people who could not care less. They will not use the information at all but the bottom line is that they will have the ability to do so.

The longer I sit in this House and the more legislation I see come by, I cannot figure out what the financial impact of it is at all. I feel it is really part of my responsibility, as a legislator, to know that and to explain it to my constituents. I do not feel that I have the ability to do that with the present legislative format.

Finally in summary, just simply turn the lights on here in Ottawa.

Private Members' Business

[*Translation*]

Mr. Nic Leblanc (Longueuil, BQ): Mr. Speaker, the hon. member for Durham, a Liberal member, has put forward Bill C-214, a bill to provide for improved information on the cost of proposed government programs.

The hon. member for Durham, who sat on the Standing Committee on Public Accounts as vice-chairman, is very interested in any administrative or legislative measure that would make the government more responsible or accountable for the enormous amounts taxpayers invest every year in the federal public service.

I want to assure the hon. member of my support in requiring the estimated annual cost and cost per capita of every new program be published as soon as the bill that authorizes it is introduced in Parliament or the regulation that implements it is issued.

The bill also requires that the auditor general be called upon to determine whether the method of calculation is valid and the cost is a good estimate. This assessment and the method to calculate the estimated cost used by the auditor general would go a long way to reassure the public on the objectivity of the calculations and cost estimate.

To increase public awareness of the actual cost of government programs and enhance transparency, as promised by the Prime Minister during the last election campaign, transparency that never really materialized, this bill also requires the total cost and cost per capital of each program to be displayed at any place where the program is delivered to the public.

The purpose of Bill C-214 is to require all departments to provide detailed financial or cost analyses for any new legislative measure.

Estimating these costs on a per capita basis will help individual citizens understand more clearly how much each new piece of legislation costs them personally, how much is actually taken out of their pockets each time the government put a new program in place.

• (1825)

This bill will make legislators and public service officials more aware of the financial impact of various legislative measures. It will also encourage the public to pay closer attention to government spending.

I agree with the hon. member for Durham, when he says that, had such a legislation been in place in the past, the debt burden facing the taxpayers would have been much lower today.

I sympathize with the hon. member for Durham. His background and personal experience, as well as his work at the public accounts committee level, have all contributed to leading him to put Bill C-214 before this House. However, while he has our support, the

problem for the hon. member, who sincerely wants to prevent the setting up of programs that are useless and too costly, is that his own government, his own party turns a deaf ear to his bill.

Indeed, the cost of government programs is the least of the Liberal's worries. Since the days of Pierre Elliott Trudeau, the Liberal Party of Canada has buried Canadians under a mountain of debts, and the current Prime Minister is carrying on the tradition. The notion of cost-benefit analysis is a foreign to this government as its understanding of Quebec is flawed or, for that matter, the existence of two distinct peoples in Canada and the partnership that could exist between them. This Liberal government's constitutional policy is based on confrontation. The Liberals prefer covering up to transparency and to analyzing the real costs of government programs.

For these reasons, Bill C-214 stands little chance of being supported by the hon. member's own party, even though such legislation is urgently required.

A good illustration of the Liberals lack of support for Bill C-214 is an E-mail note we received in which the Liberal member for Bruce-Grey writes the following to his colleague for Durham, and I quote:

[*English*]

"While I find the objective of the bill laudable, I am concerned that it could prove to be costly and cumbersome, particularly if applied to all new programming proposals regardless of materiality".

[*Translation*]

While cost estimating is the very basis of the evaluation of any new product or service in the private sector, the Liberal member for Bruce-Grey tells us that estimating the cost of any new program would be too costly when we do not know whether the program will actually be implemented. The member for Bruce-Grey seems to be implying that it is better to implement a new program without knowing its costs, then to know the costs of a new program whose financial impact would lead us not to implement it.

Such is the Liberal philosophy: it is better to not know the costs of a new program, because this information could arouse the suspicions of the media, of the opposition parties and of the taxpayers, who would strongly object to its implementation.

Better to keep the public in the dark about the real costs of programs, and above all to keep the auditor general, with his objective and transparent opinion about such information, at a distance.

We saw this, during hearings of the finance committee on the transfer of two billion dollars of Canadian capital tax free to the United States. Members of the Liberal majority and the chairman of the committee himself tried to put the auditor general on the

spot, because he had dared to give a dissenting opinion on the controversial decision by the revenue department and the finance minister regarding this unusual transfer of funds to the United States.

• (1830)

The final report by the Standing Committee on Finance, with which the Bloc Québécois was not in agreement—we tabled a dissenting report—is devoted largely to trying to refute and undermine the auditor general's opinion.

As political debate and public morality, we have seen worse. Instead of attacking the message, Liberals attack the messenger.

At the end of his note to the member for Durham, the Liberal member for Bruce—Grey says, and I quote:

[*English*]

“With respect to the role of the auditor general, his mandate is one of ex-post review. Indeed your proposal may create a conflict of interest for his office”.

[*Translation*]

The Liberals want to continue to maintain the role of the auditor general's office as one of intervening after the fact, when the deed is done and taxpayers money has already been committed and spent.

As for the possibility of conflict of interest in the auditor general's role, the Liberals have put themselves in a conflict of interest situation for some time by attacking the auditor general during hearings of the finance committee and in their subsequent committee report to the House. The auditor general is accountable only to Parliament, and that is why the Liberals are so afraid of him, do not want to extend his mandate and are trying to undermine his credibility to diminish the impact of his views. This is petty politicking.

Bill C-214 presented by the hon. member for Durham, will unfortunately not be supported by his own party, because it calls for innovation in administration, for transparency—

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

[*English*]

Mr. John Maloney (Erie, Lib.): Mr. Speaker, I am honoured to rise today in this House to speak in favour of Bill C-214 put forth by my hon. colleague from Durham.

Bill C-214 is an act to provide for improved information on the cost of proposed government programs. We as parliamentarians need to rethink from time to time not only what we do but also how we do it. Bill C-214 will help us to achieve this.

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This bill will require the estimated annual cost and the cost per capita of every new government program to be published as soon as the bill that authorizes it is introduced into Parliament, or the regulation that implements it is issued. The auditor general's opinion on the estimate is also to be published. It also requires the cost and the cost per capita to be displayed in any place where the program is to be delivered to the public.

When a new program is to be funded from public money, the minister responsible must make a declaration of the estimated annual cost of the program in each of the first five years of its intended operation, expressed as a total cost and as a cost per capita for every resident of Canada. This declaration must be made in the House of Commons if it is sitting, in the *Canada Gazette*, in writing to every member of Parliament and in a media statement.

The Auditor General of Canada will provide an opinion that the method of calculation on the cost referred to in this declaration is valid and that the cost is a good estimate. If the auditor general dissents from that opinion given by the minister, then the reasons for the dissent shall be made public by the responsible minister. The minister shall also ensure that the program costs are clearly displayed at every place where the program is delivered and in every document pertaining to the program.

This bill has the support of the Certified General Accountants Association of Ontario, the Alberta Taxpayers Association, the Chartered Association of Certified Accountants, the Society of Management Accountants of New Brunswick and Prince Edward Island and the Certified General Accountants of New Brunswick. It is obvious that this bill is endorsed from coast to coast and for very good reason.

Members of Parliament must be the stewards of the taxpayers' dollars and MPs often cannot understand the financial impact of legislation for the simple reason that it may not be presented in a clear, concise manner. I believe that Bill C-214 will change this.

Over the years the information provided to parliamentarians has become very technical and lengthy and deals with mainly short term issues. It does not sufficiently help parliamentarians understand the relationships between the resources we are approving and the financial impact they would have on Canadians and the results actually achieved by the program if applicable in previous years.

• (1835)

No one will dispute that governments should be accountable to the Canadian taxpayers. In fact it is the foundation of our parliamentary system of government. The problem with our current way of doing business is the timing of that accountability.

Most government accountability options focus on after the fact methodologies such as evaluation systems. These initiatives provide for reporting long after the tax dollars have been spent. To me,

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this does not make sense and is questionable at best. The auditor general also provides Parliament with that same hindsight analysis.

We must look at the issue of control and the understanding of cost before moneys are spent. Is this not a logical extenuation of accountability to the client or taxpayers? Our constituents deserve nothing less.

Each piece of legislation should have attached to it the estimated impact on government expenditures. Indeed it is a logical extension of the current expenditures management system, one which must involve the ultimate client: the people of Canada.

The provisions requiring publication of the costs and opinions about those costs is an excellent initiative. Not only will it provide a greater degree of financial scrutiny by the public over their elected officials, it will also increase the public awareness of the cost of government at all times but especially during periods of restraint.

I know that some hospitals now issue a statement to the patient after being discharged, not for the purpose of payment but to show the patient the cost of hospitalization. Raising the awareness of the public to programs and services that can be easily taken for granted is good. The taxpayers are entitled to see where their money goes and conversely they should be shown how much it is costing when they themselves access programs and services. Very simply, it is accountability.

When the board of directors of a corporation is considering a new initiative, do they not intensely scrutinize the financial implications of the corporation, both in the short term and long term? Are we as parliamentarians not the board of directors of this great country Canada? Should we not also be making decisions on the new initiatives by intense scrutiny of the financial implications? The answer is clearly yes, yes, yes.

With respect to accountability, the public demands more accountability from Parliament. Bill C-214 is one way in which we are counting taxpayers and citizens in on the process of evaluation before the money is actually spent. People wonder at the deficits built up by past governments. How did we get into this horrible situation? By making Canadians and parliamentarians partners at the point of sale rather than only when the bills come in will help prevent or hopefully eliminate escalating deficits in the future.

My constituents can look at the per capita cost of a proposed project and tell me it is not worth it. Many supporters of an initiative in government may look at the cost in black and white and decide it is not worth it. We can give Canadians these choices.

Our children are the true recipients of any unpaid liabilities and the beneficiaries of prudent or imprudent decision making. We owe

it to that generation to be aware of the costs of programs before we initiate them and before we saddle these children with an unacceptable financial burden.

The forces that would turn government back on the road to fiscal irresponsibility are at work today. Our colleagues opposite and perhaps members of the bureaucracy are already pondering how to spend annualized surpluses even though the deficit stands at over \$600 billion. This legislation will serve as a check on these forces.

Today one of the priorities of the Canadian government is to get government right. Getting government right means modernizing the way we conduct our business and to include the Canadian public as citizens, as clients and as taxpayers. Governments must be transparent. Canadians have the right to know and we parliamentarians have the responsibility of informing them.

Mr. Bill Gilmour (Comox—Alberni, Ref.): Mr. Speaker, I am pleased to have the opportunity to address the Bill C-214 put forward by the hon. member for Durham, an act to provide for improved information on the cost of proposed government programs.

Bill C-214 contains several proposals all of which address or seek to address the need for accountability in federal spending, particularly on government programs. The objective of this bill is simple: accountability. This is an issue which must be addressed and without question I support this objective. Accountability is critical to good government, and unfortunately there is a need for accountability within this government.

I support this bill in principle and I believe some of the proposals contained in this bill merit support. However, there are also many areas that must be amended before the bill can be supported in its entirety.

For example, to make government more accountable, Bill C-214 proposes that a minister of the crown make a public declaration of the cost of each new program funded from public money. This public declaration would include the estimated annual cost of the program in each of the first five years of its intended operation expressed both as a total cost and as a cost per capita for every resident of Canada.

● (1840)

Providing annual projections for the first five years of operation is a reasonable expectation for new programs. This should be a matter of course. However there is a problem. Projections are not binding once they are published. There is nothing to ensure that the amount published will be the amount spent. One possible solution could be an amendment to the bill that would require amendments beyond 5 per cent to be announced as well.

The proposal in Bill C-214 to provide estimated costs for each program on an annual basis is clearly a good idea. However, I have concerns that the proposed cost calculations for each program may take the issue too far.

Estimating each program as a cost per capita for every resident of Canada does not appear to be a necessary or cost effective procedure. This proposal would be an inefficient use of government money and has the potential to create an unnecessary bureaucracy within government.

Bill C-214 also proposes that program costs be made available in the House of Commons if it is sitting at the time, by publication in the *Canada Gazette*, a letter to each and every member of Parliament and a statement to the media if the House is not sitting at that time. I fully support this proposal. In fact, this proposal should be strengthened so that the minister's statement to the media is not limited to periods when the House of Commons is not sitting. The public should be informed each and every time a new program is proposed.

Another concern I have is that Bill C-214 proposes that following each new program declaration, the auditor general should provide to the minister responsible for the program an analysis of the cost proposal. The main purpose of the auditor general is to report on how federal government departments and agencies spend taxpayers' money. The role of the auditor general in providing a measure of accountability between the government and the people cannot be underemphasized. On first sight, the proposal to have the auditor general evaluate the cost for each new program may appear valid. However, this is not necessarily a good idea for the following reasons.

I have concerns that such a proposal will create unnecessary work for the auditor general. The independence of the auditor general gives him the freedom to criticize and to form independent assessments on how things are working. There is clearly a risk of overloading the auditor general. Forcing many small projects on him and his department as proposed in this bill would hinder the auditor general from examining more significant issues.

Such a proposal also steps on the independence of the auditor general. He must be allowed to use his own judgment in choosing which areas to report on. Government must not legislate the auditor general to evaluate specific programs.

However, if we wish to be more accountable, we must make changes that allow the auditor general more freedom to report on government spending. The auditor general should have access to reporting on the costs of all government programs and initiatives, including crown corporations and the Senate.

The auditor general provides a very valuable service to Canadians and to parliamentarians. As it stands, he only has limited

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jurisdiction as to what he can now report on. If Canadian tax dollars are funding it, then the auditor general should be able to investigate it. It should be that basic.

Bill C-214 also proposes "that program costs be clearly and publicly displayed at every place under the jurisdiction of or contracted to the Government of Canada at which the program is delivered and in every document in which the minister or a person acting with the authority of the minister undertakes to deliver to any person a good or service under the program".

Although I agree with the principle of this idea, I have concerns that this procedure may also run into unnecessarily high expenses that may not be essential. I suggest we maintain the principle of the proposal, yet it should be revised with a more realistic goal.

Costs of programs and initiatives must be public and accountable to the public, but how far we should go in this respect needs to be discussed in depth. As it stands, Canadians have been left out of the picture for too long. Canadians do not find out about the cost of programs until they are already established and by then the money is committed.

• (1845)

Bill C-214 must be applauded for its efforts to make governments inform Canadians. This is a step in the right direction and it is good to see it coming from the other side of the House.

Governments clearly must be accountable to the people. Canadians need to know what the costs are. After all, they are the ones who are paying for the programs in the first place.

Certainly costs of advertising must be balanced against the extent of advertising. The proposal in this bill appears to go too far in advertising the costs with too little concern for the cost of doing so. A balanced approach is needed, as both sides of the issue must be addressed.

Government fiscal policies must be open and within the scrutiny of the general public. The minister of heritage's complete lack of accountability with her flag money is a typical example of the kind of mismanagement and utter lack of accountability that goes on in this government, and this type of irresponsibility must be brought to an end. Spending millions of tax dollars without a clue of where the money is coming from is utterly irresponsible.

Another issue is our debt, which is out of control. Canadians want to know where their money is being spent. The member for Durham, in his move toward accountability, is moving clearly in the right direction.

Canadians want to know what they are paying for. Canadians deserve to know what is going on in Parliament, in its departments and in its crown agencies. Yet time and time again this government

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has voted down initiatives that would give Canadians open and accountable government.

For example, if this government is truly committed to open government as it claims, it would open all crown corporations to the Access to Information Act.

Last week I asked the minister of public works to open Canada Post to the public by putting it under the Freedom of Information Act and to the scrutiny of the auditor general, but the minister responsible for Canada Post refused. The government's refusal to open crown corporations to the public makes its commitment to open and transparent government somewhat hollow.

As well, there is complete lack of accountability in the Senate. The Senate continues to spend over \$40 million a year with absolutely no accountability to the taxpayers who pay its way. Actions must be taken, yet this government voted down a motion that would require the Senate to account for its spending to the elected members within this House.

The government voted for the Senate budget of over \$40 million without knowing how the money would be spent. This is very poor accountability.

Open government means not only opening the finances of government to the people but conducting the affairs of government above board. Open government and accountability are the two main principles within this bill. I believe the member is right on track when he attempts to target these areas.

The member sees there is a lack of accountability and openness in his government and is doing his bit to address the situation.

In conclusion, I support the member in his efforts and, as such, I will support this bill.

Mr. Dan McTeague (Ontario, Lib.): Mr. Speaker, I rise to support a good friend, a good colleague and a damn good bill which has been presented to this House, Bill C-214, the program cost declaration act.

The member for Durham probably needs no introduction to parliamentarians, but I think it is of note the work he has done on public accounts and the work he has done hither to his hopefully very long career as a politician, including many years as a chartered accountant and a very fine, upstanding man in terms of the community of Durham.

I speak with some knowledge, although he is not my chartered accountant. I can assure members that many people speak very highly of him. Any member whose dentist goes by the last name McTeague has to know something about his clients.

Mirth aside, the bill deals very specifically with a concern that Canadians have. The concern is that when we decide to move or to allow supply, when legislation is provided, we seem never to be

able to provide people with an opportunity of knowing just how much that legislation is going to cost.

I therefore commend the member of Parliament for having the foresight and the experience in terms of his committee work to be able to present a bill which I think a lot of members of Parliament on both sides of the House are expressing they will support.

• (1850)

We realize that the bill is only in second reading and therefore only in its first hour of debate. There will be two more hours of debate. I look forward to listening to other members of Parliament as they provide their views on the bill.

It is important to point out that the committee will hopefully also be able to address the amendments that were suggested, for example, by my hon. colleague from the Reform Party. I cannot help but remark that while the member from the Reform Party rightfully supports the bill, he took the opportunity to talk a bit about the Senate. I was quite amazed to note yesterday that the Reform Party was not willing to join in a motion by other members to remove the section that would deal with abrogating or removing the Senate.

The public has demanded greater transparency from us. It is a slogan for many of us. As we go into campaigns we talk about the need for making sure that people understand how much programs and legislation will cost.

I believe this bill squares with the public expectations, certainly in an era where there is justified or perhaps even unjustified cynicism toward how politicians and governments spend money.

The hon. member for Durham who presented the bill has pointed out that we are currently in a situation of being \$600 billion in debt. Some of that, I am sure, is the result of changes in the economic climate, governments not being able to change with the times and the result of great adjustments that have necessitated the government to incur such a debt.

But that does not relinquish us from our responsibility of providing the kinds of instruments that will allow the public and politicians greater scrutiny on the bills that they pass from time to time. Having had 18 votes in this Chamber last evening, it would be good to know the quantum effect of how much those bills will impact on our ability to make ends meet at the end of the day.

The hon. member from Durham who proposed this, whose riding happens to be beside mine, talked about the importance of inclusion, the importance of providing people a real opportunity for participation. That does not mean that people necessarily will take an interest in every single bill. But it allows one dimension of information which allows a democracy to survive in a very trying time. As we approach the 21st century an informed citizenry may avail itself of very important information. That is why I believe the member's bill is not only timely in the context of the deficit and the

debt situation we have, but it is also timely because the public expects us to do this.

Right now there is every indication that there is something lacking when we talk about an underground economy. According to some estimates by the Canadian Federation of Independent Business we are losing somewhere in the order of as much as \$100 billion a year because people are looking for alternatives. Some people have low faith in the system and the way their tax money is dealt with that they believe the best way to get around it is to cheat the system.

I think that is a rather sad indictment on the situation we find ourselves in. It makes the job of the revenue minister and in particular the finance minister almost impossible if not elusive. We have to bring Canadians back on side. How we do that is to provide them absolute, open, honest, up front probate information so that they can judge for themselves how the money is spent and ensure their members of Parliament are accountable. In that way it would make my job as a member of Parliament much easier to say to those engaged in the underground economy, given the importance of this bill and that it might someday be enacted, they have absolutely no reason to hurt their fellow Canadians by simply withholding or not paying taxes due.

This is what Parliament can do to bring people back on board and address the cynicism that exists out there.

This may also, as the hon. member has indicated, prevent unnecessary spending. There would certainly be a reluctance by some members to accept a bill that would seem on the surface to be aiming in the right direction. Sure, there are a lot of things we would like to do, but if we do not have the money to make those projects a reality, on whose shoulders or whose generation will the mortgage or the cost of that program be borne? We have many good programs in this country. Some of them have served this country very well and will continue to serve the country in the future. I think of our medicare programs and the transfer payments to the provinces. There are many projects and undertakings that the government has considered in the past and it has enacted valid legislation. However, we must ensure that these projects and undertakings square with public expectations as to how we are able to finance them.

• (1855)

In terms of the debate that surrounds what we are to spend and what we are not to spend, it is important to allow people an opportunity to converse with their representatives, if it is not during an election campaign, in the case of a majority government. There is an opportunity to speak to hundreds of constituents, who I know attend the hon. member's office. It is one of the most accessible offices in the region. It allows them to judge for

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themselves the importance of the program and to weigh the cost versus the social benefit. That is consistent with my definition and I believe it is consistent with the definition of the Liberal Party.

I want to put this into context in the few minutes which are allowed to me and talk about a project in the town of Ajax, which is in my riding. It has a population of approximately 75,000. In that town there is a program known as Stars. It was featured not too long ago on "W5". The Stars program saves taxpayer money by increasing their awareness of how to reduce spending. No jobs have ever been lost by the town of Ajax. We have given people an opportunity to determine how best to save valuable taxpayer dollars while at the same time making sure that ends meet because municipalities do not have the ability to incur debt.

The architect of this idea was Mr. Barry Malmsten. I am of the opinion that the member for Durham may have talked to Barry about this and applied the wisdom which has been enacted in municipalities such as Ajax to the federal realm. That is very laudable. If that is not the case, then it is certainly an awesome coincidence. Again it leads me to the conclusion that what the member is proposing at the federal level has already proven to bear fruit at the municipal level.

I believe it is up to Parliament to at least consider it. It is an important issue. Obviously it can be tinkered with in committee, but the general thrust of the bill is something which I believe all Canadians would support.

In conclusion, I would like to commend the hon. member. He has put behind him a variety of well known organizations such as the Certified General Accountants of Canada. I note that the organizations include the Canadian Taxpayers Federation and its chairman Jason Kenney. The federation has its provincial organization in my riding. He commented on this as being common sense in the Commons. Such flattery speaks to the importance and the timeliness of this bill.

[*Translation*]

In concluding, we can say that this bill deserves the attention, respect and even the support of the vast majority of members of this House. I am pleased to have had a chance to speak to my colleague's bill, and I hope it will be passed very shortly.

The Deputy Speaker: Hon. members, it is now 6.58 p.m. Is there unanimous consent to call it 7 o'clock?

Some hon. members: Agreed.

The Deputy Speaker: The hour provided for the consideration of Private Members' Business has now expired and the order is dropped to the bottom of the order of precedence on the Order Paper.

*Adjournment Debate***ADJOURNMENT PROCEEDINGS***[English]*

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

AGRICULTURE

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, on October 30, I asked the President of the Treasury Board the following question:

Farmers are increasingly concerned about the multiple impact cost recovery is having on their ability to survive and prosper.

What economic impact analysis has been and will be done to monitor these impacts and is the minister prepared to redress any serious negative impacts should they result?

The President of the Treasury Board responded by indicating that each department is responsible for the cost recovery programs it administers and responsible for any impact analysis undertaken. He also indicated that the analysis would be undertaken in response to specific concerns raised by stakeholders in the industry.

The role of Treasury Board seems to be to monitor and apparently report on the overall impact of cost recovery programs. My concern is that the cumulative impact of various cost recovery programs which involve more than one department but impact on the individual producer is not being adequately responded to.

For example, an individual producer may not have a direct problem with cost recovery programs of Agriculture Canada, but may have a problem arising out of the impact of cost recovery programs from Health Canada, Transport Canada, et cetera.

It appears to me that an individual who has a problem with the cumulative impact of cost recovery does not have any one place to bring these concerns forward for redress. I would point out that producers have to be assured that they will not be burdened with new costs that will affect their competitiveness, especially now that we are part of the new global environment.

The Canadian Federation of Agriculture has pointed out that the new Pest Management Review Agency will cost recover approximately 60 per cent of its costs while the counterpart agency in the United States has a cost recovery initiative of only 15 per cent. I understand the Minister of Health disputes some of those figures, is reviewing the matter and will come back to the issue.

In the Prince Edward Island *Guardian* on September 26 under the headline: "Farmers fear fee hikes", a very serious matter was raised by Ivan Noonan who is general manager of the P.E.I. Potato Board.

The article pointed out that fee schedules obtained by the *Guardian* show that the government expects the new fees to more than double the revenue it currently earns from a range of

Agriculture Canada services, such as licensing and inspection. Ivan Noonan said: "It is going to cause a lot more hardship for growers, that is certain. If growers cannot pick up the revenue through better prices or cutting costs per acre, then they will be out of business".

We must assure producers that that cannot happen. Imagine the cost. Imagine the impact on the macro economy of Prince Edward Island if the multiple impact of cost recovery fees forced some producers out of business.

We cannot allow ourselves to be penny wise and pound foolish. My colleague, the member for Victoria—Haliburton, produced a letter at committee that was sent to him by the vice-president of Pickseed Canada.

In the letter the individual, Mr. Pick, said: "Agriculture and Agri-food Canada now has plans to increase our costs to export to certain countries by as much as four times in 1997. If full cost recovery is passed on, this could rise to as much as 10 times". He concludes by saying: "We simply cannot do business with these costs".

The government must be extremely careful not to allow cost recovery to push producers out of business.

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Mr. Speaker, it is a pleasure to respond to the member for Malpeque. I have a lot of respect for him. He works extremely hard on behalf of his constituents and he is very knowledgeable about farming.

It is important that Canadians get food at a good price and that user fees do not put an undue burden on them. The user fee concept is not new. Canadians have paid a passport fee since the 1800s. However, the extent to which public sector goods and services are being financed by users and beneficiaries is increasing in Canada as it is in other OECD countries.

The first principle is that those who enjoy, profit or benefit from government services to the exclusion of the public at large, should be the ones who pay the cost of providing them. That is the underlying premise of the user pay policy. This promotes fairness in the use of tax dollars, discipline in the consumption of services, and allows users to have a direct say in the service and how it is delivered.

The very existence of user charges permits the federal government to improve cost recovered activities that it might not otherwise be able to provide. It permits tax dollars previously used to finance these activities to be reallocated to fund general activities benefiting all Canadians.

The Treasury Board establishes government wide policies and provides general guidance to departments on their implementation, but individual ministers are responsible for applying the policy to programs under their area of responsibility. Individual

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departments are responsible for deciding where fees are appropriate and are to be initiated.

[*Translation*]

The Deputy Speaker: I am sorry, but the parliamentary secretary's time has expired.

The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m.

(The House adjourned at 7.06 p.m.)

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