

DEBATES OF THE SENATE

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OFFICIAL REPORT (HANSARD)

Tuesday, September 25, 2012

The Honourable NOËL A. KINSELLA Speaker

This issue contains the latest listing of Senators, Officers of the Senate and the Ministry.

CONTENTS

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

THE SENATE

Tuesday, September 25, 2012

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

[Translation]

BUSINESS OF THE SENATE

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, there have been consultations among the parties, and it has been agreed that photographers may be allowed on the floor of the Senate for this afternoon's meeting, so that they may photograph the swearing-in of new senators with as little disruption as possible.

[English]

NEW SENATORS

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that the Clerk has received certificates from the Registrar General of Canada showing that the following persons, respectively, have been summoned to the Senate:

Paul E. McIntyre

Thomas Johnson McInnis

Tobias C. Enverga, Jr.

Thanh Hai Ngo

Diane Bellemare

INTRODUCTION

The Hon. the Speaker having informed the Senate that there were senators without, waiting to be introduced:

The following honourable senators were introduced; presented Her Majesty's writs of summons; took the oath prescribed by law, which was administered by the Clerk; and were seated:

Hon. Paul E. McIntyre, of Charlo, New Brunswick, introduced between Hon. Marjory LeBreton, P.C., and Hon. Percy Mockler;

Hon. Thomas Johnson McInnis, of Halifax, Nova Scotia, introduced between Hon. Marjory LeBreton, P.C., and Hon. Donald H. Oliver;

Hon. Tobias C. Enverga, Jr., of Toronto, Ontario, introduced between Hon. Marjory LeBreton, P.C., and Hon. Don Meredith;

Hon. Thanh Hai Ngo, of Ottawa, Ontario, introduced between Hon. Marjory LeBreton, P.C., and Hon. Vernon White; and

Hon. Diane Bellemare, of Montreal, Quebec, introduced between Hon. Marjory LeBreton, P.C., and Hon. Claude Carignan.

The Hon. the Speaker informed the Senate that each of the honourable senators named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

• (1430

CONGRATULATIONS ON APPOINTMENT

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, for the second time this year, I am pleased to have the honour of introducing a group of talented and extraordinary Canadians appointed by the Governor General, on the advice of our Prime Minister, to join us here in the Senate of Canada. These esteemed colleagues bring a vast array of experience and expertise that will undoubtedly lend to the important work we do here in the upper chamber of Parliament.

As all honourable senators may know, I have been involved in politics here on Parliament Hill for the better part of 50 years. I have been honoured to work with parliamentarians of all stripes, political staff from all areas of the country, and dedicated public servants in departments spanning the vast umbrella of the federal government.

It is always an extreme pleasure for me to welcome new colleagues, particularly those joining us here in the upper chamber of sober second thought. As we all know and appreciate, the work that we do here is tremendously important to the parliamentary process and to the betterment of our country.

The group of five talented new senators that we welcome today includes a well-regarded economist from Montreal, Canada's first Filipino-Canadian senator and first Vietnamese-Canadian senator, as well as two highly respected and accomplished lawyers and community leaders.

The five are Diane Bellemare, Tobias Enverga, Thomas McInnis, Paul McIntyre and Thanh Hai Ngo.

The first and foremost priority of our government is the economy. We have been clear and unwavering in our commitment to protect jobs, to create opportunities for Canadians, and to ensure the long-term prosperity of our nation. In keeping with the Prime Minister's commitment to the economic prosperity of Canada, he has selected a highly respected economist from Montreal to join our team.

Diane Bellemare's resumé includes a long list of accreditations, designations and accomplishments that more than qualify the new senator from Quebec to serve Canadians in Parliament. She holds a bachelor, master, and a PhD in economics, and has served in many professional capacities in her home province of Quebec.

She was a professor at the Université du Québec à Montréal, has served as Chief Economist and Vice-president of Research at the Conseil du patronat du Québec, and has been an important political adviser to former ADQ leader Mario Dumont.

Testament to her dedication to public service, Diane put her name forward to run as the ADQ candidate in two general elections, the first in 2003 in Blainville, and the second in 2008 in Bertrand. She also represented the ADQ in the 2008 by-election in Pointe-aux-Trembles.

Diane, your renowned expertise in economics and your persistence and commitment to public service are well received not only within our Conservative caucus but also here in this chamber. I know that I speak for the Prime Minister when I say we are looking forward to your contributions to our government team. In particular, I am looking forward to reading the book that you have written on economic policy in Canada, which is currently in review.

Welcome, Diane.

Hon. Senators: Hear, hear!

Senator LeBreton: As many honourable senators know, the Conservative Party has many firsts here in Parliament: the first Japanese-Canadian member of Parliament, the first Indian-Canadian member of Parliament, the first Inuk cabinet minister, the first Aboriginal senator, the first woman cabinet minister — the list goes on and on. Currently in the upper chamber we have four firsts in Canadian parliamentary history, appointed by the Governor General on the advice of the Prime Minister Harper.

Yonah Martin, the first Korean-Canadian senator, was appointed in January 2009. In July 2010, the first Pakistani-Canadian senator, Salma Ataullahjan, was appointed. Now, sitting here with us today, we have the first Filipino-Canadian and Vietnamese-Canadian senators.

Tobias Enverga Jr. is the first Filipino-Canadian senator. A 30-year veteran of the Bank of Montreal, he is no stranger to trail-blazing a path for multicultural communities in the GTA. He has devoted countless hours of time and immeasurable levels of enthusiasm to various pursuits and endeavours in his community. As a dedicated public office-holder, Tobias was the first Filipino-Canadian elected to the city council in Toronto, and he also served as a trustee on the Toronto Catholic District School Board.

Senator Enverga is Co-chair of the Asian Heritage Month Celebration and served as a Director of the Canadian Multicultural Council - Asians in Ontario and is also a Past President of the Philippine Independence Day Council.

If that was not enough to keep him busy, the senator is also the founder of the Philippine Canadian Charitable Foundation.

In recognition of his many contributions to his community, Senator Enverga was a proud recipient of the Queen's Diamond Jubilee medal this year, a well-deserved medal of distinction that recognizes the very uniqueness of Senator Enverga's commitment to serving his community.

Welcome, Senator Enverga.

Hon. Senators: Hear, hear!

Senator LeBreton: On September 6, the Nova Scotia contingent in the Senate of Canada welcomed another colourful Maritimer to its caucus. Senator Thomas McInnis, a prominent member of the Sheet Harbour community, brings to Ottawa a vast array of professional and community experience. A lawyer, business owner and community leader, Senator McInnis was also member of the Legislative Assembly of the Province of Nova Scotia.

• (1440)

He served as MLA for Halifax Eastern Shore from 1978 to 1993 in the governments of former premiers John Buchanan, a former colleague in this place, Roger Bacon and Donald Cameron. In fact, Tom held several cabinet posts in John Buchanan's government and was deputy premier under Donald Cameron. I can imagine Senator McInnis may have quite a few fond memories of his long tenure in the legislature in Nova Scotia. I hope that his time here in the Senate provides him with equally memorable moments and opportunities.

Welcome, Senator McInnis.

Hon. Senators: Hear, hear!

Senator LeBreton: Another native Maritimer taking his seat here in the Senate of Canada is Senator Paul McIntyre. Also a lawyer by trade, Senator McIntyre is especially known for promoting the arts, culture and sports. A marathon runner in his spare time — this will do him very well in the Senate; he can teach some of us a few things — Paul has participated in 48 marathons, including the Boston Marathon in 2006 and 2011.

Our newest senator from New Brunswick is also a very active member of his community. He is the owner and creator of the Alfred Desrosiers Nature Park, which he established in August 2002 in memory of his great grandfather and in honour of his mother Victoria. Senator McIntyre has lent his time to many philanthropic endeavours.

The first senator from Restigouche to take a seat in the upper chamber of Parliament, Senator McIntyre has been involved in fundraising efforts for the Salvation Army and has served as the Assistant Coordinator of the Children's Wish Foundation in the Restigouche region.

No stranger to the wonderful world of politics, Senator McIntyre ran in the 2003 provincial election in the riding of Dalhousie-Restigouche East. It was a close race; he lost by only 400 votes to Liberal Donald Arsenault.

Senator McIntyre's late Aunt Alice once said he would be making a difference in the Senate one day, and today I am sure she is watching from above with much pride and joy.

On behalf of us all, Senator McIntyre, I would like to welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

Senator LeBreton: Last, but certainly not least, I would like to introduce Canada's first Vietnamese-Canadian senator, Thanh Hai Ngo, who immigrated to Canada in 1975 after fleeing communism in Vietnam. Having experienced communist oppression firsthand in his native country, Senator Ngo has become a strong voice and fierce advocate for freedom, democracy, human rights and the rule of law here in Canada.

In December 2007, he was appointed Citizenship Judge for Ottawa. Prior to this appointment, the senator was Chairperson of the Employment Insurance Board of Referees in Ottawa, and had a distinguished career as a teacher here in Ottawa and an educator in Malaysia and Vietnam.

Senator Ngo has been an active member of the Vietnamese communities in Canada and abroad. He is the founder and former Chairperson of the Ottawa Vietnamese Non-Profit Residence Corporation and has served on various boards in a number of capacities.

I know that Senator Ngo will be a strong voice for the Vietnamese and other multicultural communities in Ontario and in Canada, and I look forward to his unique perspective on many issues that will be forthcoming in the Senate.

Honourable senators, please join me in welcoming our newest colleagues to the Senate of Canada.

Hon. Senators: Hear, hear!

Senator LeBreton: Honourable senators, I know that their distinctive diversity will be of considerable benefit to our important role here in Parliament. Their dynamic professional careers, their dedication to public service, and their storied pasts will lend to the crucial work that we do on behalf of all Canadians

To our new colleagues, I know that this opportunity is one that you accept humbly, and one that you will use to advance ideas and initiatives that will contribute to the betterment of our country. The Prime Minister and the Governor General have entrusted in you a significant responsibility.

Canada is a diverse country, with differing interests, demographics and issues in all areas of the country, from coast to coast to coast. From Restigouche to Ottawa, to Peace River, Nunavut and the Yukon, we have all been appointed to serve the interests of our constituents here in Canada's upper chamber.

As I have said in the past, senators have a distinctive role in Parliament. As our five new colleagues take their seats in Canada's upper chamber, let us reflect on that role and on our responsibilities as Canadian senators.

This is an exciting time for our government and for our country. With our majority mandate, our Prime Minister and this government have embarked upon a mission to accomplish great things for Canada.

Over the last 16 months, our government delivered on many of those promises, and there is much left to do.

Thank you, honourable senators.

SENATORS' STATEMENTS

THE LATE HONOURABLE PETER LOUGHEED, P.C., C.C.

Hon. Betty Unger: Honourable senators, I rise today to pay tribute to a great Albertan and a great Canadian: the Honourable Peter Lougheed, a former Alberta premier. The outpouring of sadness, affection and admiration we have witnessed in Alberta and across Canada since his passing earlier this month is a testament to the extraordinary accomplishments and exemplary character of this remarkable man. We are poorer for his passing but infinitely richer as a country for his selfless contributions to public life.

The nation-leading prosperity of Alberta today — prosperity that benefits all Canadians — can be traced directly to far-sighted energy policy decisions made by the Government of Alberta in the 1970s and 1980s under the leadership of Premier Lougheed. He laid the groundwork for the development of the province's oil sands and petrochemical industries, in particular, which today provide direct and indirect employment for thousands and thousands of Canadians, and which generate public revenues that sustain our social programs and quality of life.

During the epic national debates over energy policy and the Constitution, he eloquently and successfully defended the core principles of Confederation, including the equality of provinces, free markets, the primacy of elected lawmakers and provincial autonomy over natural resources. Later, he led the national debate for freer international trade, which set Canada on course for unprecedented economic growth and an ever-larger role in the global economy.

Honourable senators, Premier Lougheed's steady, principled and astute leadership was critical to Canada's emergence from a period of national economic volatility and political disharmony, to a country that is stronger, wealthier, more balanced and more united. We will miss him dearly, but we will be guided by his wisdom long into our future.

[Translation]

LOUIS RIEL HOUSE

Hon. Maria Chaput: Honourable senators, today I will be talking about Riel House, a national historic site in Winnipeg, Manitoba, that opened its doors in 1980. To Manitobans, the important thing is for the house to be properly preserved and to continue being a primary tool for teaching people about the Riel family and the role that Louis Riel played in the creation of the Province of Manitoba.

The house was built by Louis Riel's mother around 1881. She was a widow, Louis Riel's father having died in 1864, while Riel was studying at the Collège de Montréal. Louis Riel did not begin his political career in the house, nor did he live there as a child. That is something I would like to make clear.

The house in which Louis Riel was born and raised no longer exists, but the national historic site in Winnipeg, Riel House, is the only site that invites the public to visit a place so closely connected to the family.

• (1450)

The direct link between Riel House, the national historic site, and Louis Riel is that, after he was hanged in Regina, his body was transported there, where he lay in state before being buried in front of Saint Boniface Cathedral in Manitoba. Many of the meetings of the Union nationale métisse Saint-Joseph du Manitoba, which just celebrated its 125th anniversary, were held there, and I was able to attend the celebration.

Today, I want to clarify the link between Louis Riel and Riel House and its very important role in the history of Manitoba. I continue to hope that the personalized interpretive services provided in both official languages at Riel House by Parks Canada will not be eliminated at this national historic site located in Manitoba.

[English]

GRAIN MARKETING FREEDOM DAY

Hon. Donald Neil Plett: Honourable senators, on August 1, I had the privilege of celebrating Marketing Freedom Day together with 1,000-plus Western Canadian farmers in Kindersley, Saskatchewan.

On August 13, I had the opportunity to visit the Port of Churchill and watched as "freedom wheat" was being loaded onto the MV New Legend Pearl destined for Colombia. Of this load, 27,500 metric tonnes originated from Richardson Pioneer elevators in Manitoba, Saskatchewan and Alberta. As Jean-Marc Ruest, Vice-president of Corporate Affairs at Richardson International, stated:

The fact that we are a Manitoba company using a Manitoba port I think is a good thing.

The starting point always has to be that it makes commercial sense. . . . This was an opportunity to see if it works logistically and operationally and the results were good. We're very pleased with how this loading transpired and we will be using it more this year.

Brad Chase, the president of OmniTRAX Canada, the owner and operator of the Port of Churchill, stated that the port would this year receive almost 600,000 tonnes of grain for shipment overseas. That is an increase of 500 tonnes in the average annual shipment.

Western Canadian farmers are receiving close to \$9.50 a bushel for their wheat, having never received even \$6 a bushel under the Wheat Board in the past.

There are naysayers even in our chamber. One said:

Let us just begin to itemize the losses that we will see once the Canadian Wheat Board begins to diminish in its presence and ultimately dies. First, consider that 75 per cent of the shipments out of the Port of the Churchill in Manitoba are Canadian Wheat Board wheat. As sure as I am standing here, as sure as we are all in this place, and you watch: Churchill's Port will close very quickly. The government will be responsible for that.

Honourable senators, I have great news. The Port of Churchill is thriving, and I assume our government is also responsible for that. As the mayor of Churchill said to me on my recent visit, "If we all pull together in the same direction, our community will continue to grow and thrive."

This, honourable senators, is what Prime Minister Stephen Harper and the Conservative government believed in and showed when we freed the Western Canadian farmers from the bonds of the single-desk-marketing Canadian Wheat Board.

Honourable senators, please join me in congratulating the town of Churchill, the Port of Churchill, OmniTRAX International and, most importantly, Western Canadian farmers on their success now and into the future.

FOSTER PARENTS

DIAMOND JUBILEE MEDAL RECIPIENTS IN P.E.I.

Hon. Catherine S. Callbeck: Honourable senators, earlier this month, at Government House, Senator Hubley and I had the great honour to present Queen Elizabeth II Diamond Jubilee Medals to foster parents in my home province of Prince Edward Island. As we all know, these medals recognize the 60 years of dedicated public service of Queen Elizabeth and are awarded to Canadians in recognition of their outstanding contributions to their communities, provinces and country.

Earlier this year, Senator Hubley and I decided that we wanted to recognize Islanders who are committed to — and are — providing a safe and loving environment for children who, for one reason or another, cannot remain in their own homes. Foster parents provide that place where children can experience a stable and caring environment that supports and encourages their growth and development. We also hope that recognizing the work of foster parents will help to inspire others to become foster partners, as there is always a need for loving homes for more children.

Every day, foster parents perform a truly essential service in the care and support of our most vulnerable children. Last week, Statistics Canada released the first-ever census numbers of foster children in Canada. Nearly 30,000 children aged 14 and under live in care. More than 17,000 households take care of foster children, and more than half have at least two.

The benefits that these foster parents provide to children across the country are immeasurable and invaluable. As a society, we are deeply indebted to them for the vital services that they are providing to children. We would like to thank Their Honours, the Honourable H. Frank Lewis and Mrs. Dorothy Lewis for hosting the event. I would also like to thank the Prince Edward Island Federation of Foster Families for identifying the nominees and, in particular, Wayne MacFarlane for acting as master of ceremonies. Finally, we would like to thank Justin Simard and Candace Woodside for performing such exceptional renditions of the royal and national anthems

Honourable senators, we all know that one of the most basic needs of any child is to live in a home surrounded by people who can provide love and protection. I would like to once again congratulate these Diamond Jubilee Medal recipients and thank all foster parents across the country for their remarkable contributions to the lives of our children.

[Translation]

ROUTINE PROCEEDINGS

INFORMATION COMMISSIONER

2011-12 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2011-12 annual report of the Information Commissioner of Canada, pursuant to section 38 of the Access to Information Act.

[English]

THE SENATE

RULES OF THE SENATE OF CANADA— SEPTEMBER 2012 VERSION TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table the September 2012 version of the *Rules of the Senate*, which contains the index prepared by the Clerk of the Senate.

[Translation]

PUBLIC SAFETY

CANADIAN SECURITY INTELLIGENCE SERVICE— 2010-11 PUBLIC REPORT TABLED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the public report of the Canadian Security Intelligence Service for the fiscal year ended March 31, 2011.

[English]

STUDY ON THE PROGRESS IN IMPLEMENTING THE 2004 10-YEAR PLAN TO STRENGTHEN HEALTH CARE

SEVENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE— GOVERNMENT RESPONSE TABLED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the government response to the report of the Standing Senate Committee on Social Affairs, Science and Technology.

LIBRARY OF PARLIAMENT

DOCUMENT TABLED

Leave having been given to revert to Tabling of Documents:

Hon. Terry M. Mercer: Honourable senators, I wish to table a document entitled *Case Studies for the New Pilot Project Working While on Claim*.

• (1500)

[Translation]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF CBC/RADIO-CANADA'S OBLIGATIONS UNDER THE OFFICIAL LANGUAGES ACT AND THE BROADCASTING ACT

Hon. Maria Chaput: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That notwithstanding the order of the Senate adopted on Thursday, November 17, 2011, the date for the final report of the Standing Senate Committee on Official Languages in relation to its study on CBC/ Radio-Canada's obligations under the *Official Languages Act* and some aspects of the *Broadcasting Act* be extended from October 31, 2012 to June 30, 2013.

[English]

FISHERIES AND OCEANS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF ISSUES RELATING TO FEDERAL GOVERNMENT'S CURRENT AND EVOLVING POLICY FRAMEWORK FOR MANAGING FISHERIES AND OCEANS

Hon. Fabian Manning: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the order of the Senate adopted on Sunday, June 26, 2011, the date for the final report of the Standing Senate Committee on Fisheries and Oceans in relation to its study of issues relating to the federal government's current and evolving policy framework for managing Canada's fisheries and oceans be extended from September 30, 2012 to September 30, 2013.

[Translation]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF APPLICATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

Hon. Maria Chaput: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That notwithstanding the order of the Senate adopted on Wednesday, June 22, 2011, the date for the final report of the Standing Senate Committee on Official Languages in relation to its study on the application of the *Official Languages Act* and of the regulations and directives made under it be extended from September 30, 2012 to September 30, 2013.

[English]

OUESTION PERIOD

THE SENATE

REFERENCE OF BILL C-7 TO SUPREME COURT OF CANADA

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I am sure we are all glad to be back here after what was a great summer, certainly in Atlantic Canada.

My question is for the Leader of the Government in the Senate. There has been a lot of speculation in the media and amongst the chattering classes the last little while about a suggestion that the government might refer the Senate reform legislation to the Supreme Court of Canada for an advisory opinion. As the leader will know, that is something those of us on this side have been pushing for since 2007 and which up to now the government has steadfastly refused to agree to.

Senator D. Smith: For years. They finally saw the light.

Senator Cowan: Can the leader confirm the government's intention with respect to this proposed reference for an advisory opinion?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question, and welcome back to Question Period.

I believe the honourable senator answered his question in his preamble when he talked about speculation in the media. All I can say at the moment is that all of these stories are highly speculative and there is nothing more to add to the subject at this time.

Senator Cowan: The honourable leader was speaking about this topic on June 9, 2009, and said:

The government's position is clear, honourable senators: Bill S-7 is constitutional and there is no need to further delay the reform process with a Supreme Court reference or any other obstructionist tactic.

Is it still the view of the government that a reference to the Supreme Court of Canada is an obstructionist tactic?

Senator LeBreton: Honourable senators, I thank Senator Cowan for putting my words on the record. As I said then — and we did have constitutional experts who advised the government — I do believe that the changes we were proposing in our legislation, which is in the other place, are in fact doable without opening the Constitution. At this moment in time that is still my belief.

Senator Cowan: My question was whether the leader viewed and whether the government viewed a Supreme Court reference — and these are her words, not mine — to be an "obstructionist tactic"?

Senator LeBreton: I cannot accuse the senator of putting words in my mouth, but the fact of the matter is I do believe and I did believe then that the government's legislation for Senate reform is proper and constitutional. I believe that it should be dealt with before Parliament, where it is at the present time.

INFORMATION COMMISSIONER

ACCESS TO INFORMATION

Hon. Robert W. Peterson: Honourable senators, my question is to the Leader of the Government in the Senate. Each year, Newspapers Canada conducts an audit to review the performance of Canadian governments with respect to their access-to-information systems. This provides the public with the opportunity to see the degree to which their governments are in compliance with their own freedom of information legislation, as well as facilitating comparisons among jurisdictions.

From April to August of 2012, 410 requests were sent to 11 federal departments and agencies, 5 departments in each province, and 20 municipalities and their associated police services. Requests were for information on such things as the cost of cellphones, travel by senior officials, and briefings to cabinet ministers and provincial premiers. Once again, the federal government's 2011 performance was among the worst of all the jurisdictions audited.

At a time when more and more governments are creating "open data" sites to make data freely available to anyone who wishes to analyze it, can the leader of this government please explain why the freedom of information report concluded that:

... Ottawa, showed themselves stuck in the 1970s, insisting on releasing paper or unreadable copies of electronic data despite the data having been requested in its native form.

Will the government finally make true on its 2006 campaign promise to overhaul the federal Access to Information Act?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, it is important to point out at the beginning that access-to-information decisions are made by non-partisan public servants, free from any political interference.

The honourable senator mentioned the efforts of the government with regard to access to information. I can only report that we will continue to improve our access-to-information systems to provide Canadians with the accountability that they deserve.

The Information Commissioner stated on page 17 of her recent report, which was released in May:

The overall improvement in institutions' performance . . . suggests that the situation is getting better. . . .

As I have said many times, under our government over 70 new institutions are now accessible for the first time under access to information. It is important to remember that we have added 70 more agencies, including the CBC, to those that are now accessible.

We have launched an open government website that will facilitate access to data and information, and this year our government has received and completed more requests than ever before. I think it is important to keep this in mind as well. Last year the government completed over 35,000 access-to-information requests.

Honourable senators, we should acknowledge that there has been a great increase, not only thanks to the government in adding 70 other agencies, but there has been a great increase in the number of requests. The public servants who deal with these requests are to be congratulated for their efforts to improve the system. As I quoted, this has been acknowledged by the Information Commissioner.

Senator Peterson: With all due respect to the leader, it all depends on how one does it. I make reference to Statistics Canada. The government has marginalized them to the extent that the relevance of their information is not even there. I look at what the government did to Environment Canada. It got rid of all the scientists. Therefore, how can we have any information that deals with climate change with any degree of certainty? I think to stroke numbers is one thing, but it is how you do it. The Canadian people deserve clear, concise information.

Senator LeBreton: The honourable senator gets up and makes these statements, but he knows as well as I do that they happen not to be true. We did not get rid of all the scientists. We have

massively increased our contribution to science and technology. We have brought in many changes with regard to the environment, which I have put on the record in the past. It is important for all of us, when we are dealing with issues that are important to Canadians, that we not say things that we know very well are not the facts.

• (1510)

PARKS CANADA

FEES FOR BUSINESSES LOCATED NEAR NATIONAL PARKS

Hon. Catherine S. Callbeck: Honourable senators, my question is to the Leader of the Government in the Senate. Last month in a discussion with municipal leaders in Ontario, Minister Peter Kent floated the idea that businesses located near national parks or historic sites run by Parks Canada should pay fees to the government simply because they enjoy the perk of being located near tourist destinations. In fact, the minister stated that these businesses now enjoy a free ride.

Those comments really concern me because fees like that add to the expenses of small businesses and could have a devastating effect on many that are trying to survive. Is the federal government actually considering charging a fee to businesses that just happen to be near a national park or historic site?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the truth of the matter is that no other government has done more to conserve Canada's natural heritage than this present government. Since 2006, we have designated 150,000 square kilometres of new protected lands and increased Parks Canada's budget by \$50 million.

Parks Canada is making changes to ensure that staff members are there when most visitors come to our parks. They are looking, as are all government departments, at cost-saving measures that include reduced hours of operation. These have all been discussed in many meetings over the summer.

Parks Canada is responsible for the management of our parks and historic sites. They have an additional budgetary amount of \$50 million. However, like all government departments, they have been asked and they have committed — it was their decision — to the savings that they are now bringing about.

Senator Callbeck: With all due respect, the leader has not answered my question. I want to know about what Minister Peter Kent said a month ago when he floated this idea of charging fees to businesses that are near national parks or historic sites. I asked if the government was considering charging those fees. I would like to have an answer.

Secondly, I would like for the leader to inquire as to whether the government has done any research or any estimates on the cost to small businesses that these potential fees could bring.

Senator LeBreton: I will ask Minister Kent about the basis of his discussions. I am not aware of any suggestion that fees be charged to businesses. I do know, because I live on the Rideau Canal system, that fees have been used on the canal system and on other historic sites and parks for many years. Back in the 1970s when I used to boat on the Rideau Canal system, we paid fees to go through the locks. Nothing has changed there.

I will speak to Minister Kent as to the context in which this conversation took place. As we often find out when we check these things, the conversations and the intent are usually out of context.

Senator Callbeck: I take it from the answer of the leader that she will talk to Minister Kent and get an answer to my question. She will also inquire as to whether the government has done any analysis on the costs and will report back. Am I correct?

Senator LeBreton: I believe that is what I indicated, honourable senators

[Translation]

FRANCO-ONTARIAN DAY

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, before asking my question, I would like to point out that today, francophones in Ontario are celebrating Franco-Ontarian Day, which recognizes the importance and vitality of the Franco-Ontarian community and the French fact in Canada.

PRIVY COUNCIL OFFICE

COMMITMENT TO BILINGUALISM

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, last August, the government posted two notices for senior government positions within federal agencies without requiring the candidates to be bilingual. The two notices issued by the Privy Council Office state that proficiency in both official languages is preferred but not mandatory.

The two job postings were for the position of Chief Commissioner of the Canadian Human Rights Commission and the positions of President, Vice-President and member of the future Social Security Tribunal. The salaries for these senior positions range from \$139,000 to \$262,000.

Honourable senators, Canada's linguistic duality is one of the fundamental and defining characteristics of our country. Why is the government once again abandoning its commitment to official bilingualism?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I take issue with Senator Tardif's last comment. The fact is that the government has not and will not give up on Canada's commitment to both of our official languages.

With regard to the two positions that the honourable senator has cited, I am not aware of all of the provisions with regard to the posting of these positions. However, I would be happy to seek

information to provide in this chamber. Again, I believe, especially for senior positions and offices of Parliament — the desire and the necessity for someone in such a position to have fluency in both official languages is something that the government supports.

[Translation]

Senator Tardif: Honourable senators, I have a supplementary question. I would like to thank the leader for promising to find out about these positions. Unfortunately, as you know, these job postings come on the heels of the appointment of a unilingual Auditor General. The government has once again missed an opportunity to show its commitment to protecting official bilingualism within the public service.

Why does the government remain indifferent to the perception — which is alive and well, and growing — that the spirit of Canada's Official Languages Act is being eroded?

[English]

Senator LeBreton: Again, I take issue with the statement about the erosion of the Official Languages Act. This chamber, in every which way, has been through the circumstances involving the Auditor General and his commitment. He appeared before the Committee of the Whole in this place.

I take issue with the honourable senator's statement, which happens not to be true, that the government is not fully committed. As a matter of fact, for those of us who have been watching the political process over the summer, there was a series of announcements all across the country with regard to Canada's Official Languages Act and the ongoing progress of the Roadmap. This was done in communities all across Canada.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

FINANCE— CANADA PENSION PLAN TOTAL NET ASSETS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 8 on the Order Paper by Senator Callbeck.

HUMAN RESOURCES AND SKILLS DEVELOPMENT—OLD AGE SECURITY

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 39 on the Order Paper by Senator Callbeck.

HUMAN RESOURCES AND SKILLS DEVELOPMENT—FUNDING FOR LITERACY AND ESSENTIAL SKILLS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 40 on the Order Paper by Senator Callbeck.

PRIVY COUNCIL OFFICE— PUBLIC APPOINTMENTS COMMISSION

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 42 on the Order Paper by Senator Callbeck.

NATIONAL DEFENCE— EXPENDITURES ON RESERVISTS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 45 on the Order Paper by Senator Downe.

FINANCE—NEGOTIATION OF CANADA-LIECHTENSTEIN TAX INFORMATION EXCHANGE AGREEMENT

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 46 on the Order Paper by Senator Downe.

NATIONAL REVENUE—CANADA REVENUE AGENCY— VOLUNTARY DISCLOSURE PROGRAM

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 47 on the Order Paper by Senator Downe.

NATIONAL REVENUE— CANADA REVENUE AGENCY—TAX EVASION

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 48 on the Order Paper by Senator Downe.

NATIONAL REVENUE—CANADA REVENUE AGENCY— CANADIAN-HELD LIECHTENSTEIN BANK ACCOUNTS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 49 on the Order Paper by Senator Downe.

NATIONAL REVENUE—CANADA REVENUE AGENCY— OVERSEAS TAX EVASION

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 50 on the Order Paper by Senator Downe.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I also have the honour to table answers to a number of oral questions, including the answer to the oral question asked by the Honourable Senator Hubley on March 7, 2012, concerning Human Resources and Skills Development—Job Bank.

• (1520)

[English]

I have the honour to table the answer to the oral question asked by the Honourable Senator Callbeck on February 28, 2012, concerning the HRSD job bank.

[Translation]

Honourable senators, I also have the honour to table the answer to the oral question asked by the Honourable Senator Ringuette on February 8, 2012, regarding service levels at Service Canada.

I also have the honour to table the answer to the oral question asked by the Honourable Senator Chaput on February 8, 2012, regarding service levels at Service Canada.

[English]

I have the honour to table the answer to the oral question asked by the Honourable Senator De Bané on May 30, 2012 regarding shale gas.

[Translation]

Honourable senators, I have the honour to table the answer to the oral question asked by the Honourable Senator Cowan on May 15, 2012, regarding the Police Officers Recruitment Fund.

I also have the honour to table the answer to the oral question asked by the Honourable Senator Dallaire on June 18, 2012, regarding the Canada First Defence Strategy and affordability.

I have the honour to table the answer to the oral question asked by the Honourable Senator De Bané on June 14, 2012, regarding the Jean V. Allard Commemorative Library.

I also have the honour to table the answer to the oral question asked by the Honourable Senator Hubley on June 14, 2012, regarding consultations on container sizes.

[English]

I have the honour to table the answer to the oral question asked by the Honourable Senator Jaffer on June 6, 2012, regarding women's rights in Afghanistan.

I have the honour to table the answer to the oral question asked by the Honourable Senator Cordy on June 5, 2012, regarding Bill C-38.

[Translation]

Honourable senators, I have the honour to table the answer to the oral question asked by the Honourable Senator Campbell on June 20, 2012, regarding border control.

I have the honour to table the answer to the oral question asked by the Honourable Senator De Bané on June 27, 2012, regarding the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction.

I also have the honour to table the answer to the oral question asked by the Honourable Senator Rivest on May 29, 2012, regarding the Canada Labour Code.

I have the honour to table the answer to the oral question asked by the Honourable Senator Tardif on May 17, 2012, concerning Arctic research.

[English]

I have the honour to table the answer to the oral question asked by the Honourable Senator Eggleton on March 8, 2012, concerning poverty.

Finally, I have the honour to table the answer to the oral question asked by the Honourable Senator Moore on June 6, 2012, regarding the Canada Border Service Agency.

[Translation]

HUMAN RESOURCES AND SKILLS DEVELOPMENT

JOB BANK—CANADA SUMMER JOB CENTRES

(Response to questions raised by Hon. Catherine S. Callbeck on February 28, 2012 and Hon. Elizabeth Hubley on March 7, 2012)

Job Bank is Canada's free one-stop job listing web site that, each year, helps hundreds of thousands of Canadian workers, job seekers and employers connect online.

After a temporary shutdown, Job Bank services were restored on March 2, 2012. There are currently 61,000 jobs posted and more are being added each day.

We apologize for any inconvenience the disruption in service may have caused Canadian job seekers and employers.

Last year, Job Bank hosted over 7,000 job advertisements for employers in Prince Edward Island (PEI) including over 400 job advertisements for students. There are currently 252 job postings on Job Bank for PEI (as of July 12, 2012).

The Government of Canada is committed to creating the best-educated, most-skilled and most flexible work force in the world and recognizes that talented, creative people are the most critical asset to a successful national economy and future labour supply.

Through the Youth Employment Strategy (YES), the Government of Canada continues to provide substantial investments to help young people (aged 15 to 30) get the information and gain the skills, work experience and abilities they need to make a successful transition to the workplace.

Human Resources and Skills Development Canada (HRSDC) and 10 other Government of Canada departments and agencies work in partnership to offer a broad range of youth employment initiatives in communities across Canada:

Skills Link helps young people who face more barriers to employment than others develop basic employability skills and gain valuable work experience to assist them in making a successful transition into the labor market or to return to school. They could be youth who have not completed high school, single parents, Aboriginal youth, young persons with disabilities, youth living in rural or remote areas or newcomers.

• In 2010-11, the YES served over 19,000 youth through Skills Link; of which more than 17,000 were served through HRSDC's Skills Link program.

Career Focus helps post-secondary graduates develop advanced employability skills through work experience to assist them in establishing careers in their field of study.

• In 2010-11, the YES served over 6,000 youth in workplace internships; of which more than 2,000 recent graduates were served through HRSDC's Career Focus Program.

Summer Work Experience provides wage subsidies to employers to create summer employment for secondary and post-secondary students. The Summer Work Experience program includes Canada Summer Jobs (CSJ).

- Because students continue to have difficulty finding summer jobs, the Government permanently increased funding to CSJ by \$10M last year.
- In 2010-11, the YES assisted almost 45,000 students in finding employment through Summer Work Experience. Through CSJ, HRSDC helped create approximately 37,000 jobs in more than 22,000 organizations across the country. Of the total jobs created, approximately 3,500 jobs can be attributed to the additional \$10M in funding.

The Government of Canada understands how critical youth are to Canada's labour market and economic growth and prosperity.

That is why this Government announced in Budget 2012 an additional \$50 million over the next two years for the Youth Employment Strategy (YES) to help more youth access career information, gain the skills, work experience and abilities they need to make a successful transition to the workplace.

This additional support builds on the substantial investments we now make through the YES and will focus on connecting young Canadians with jobs in areas of high demand.

SERVICE CANADA—SERVICE LEVELS

(Response to question raised by Hon. Pierrette Ringuette on February 8, 2012)

The Department's standard for processing CPP Disability applications states that 75 percent of new applications and 70 percent of reconsideration requests must be processed within 120 days. As of June 2012, we are processing 77.4 % of the initial applications within 120 days and 85.2 % of the time for reconsideration requests within 120 days.

The average timelines for processing a Disability application can increase throughout the year from the Department's standard of 75 percent of new applications requests processed within 120 days. The nature of the program lends itself to fluctuations in processing times such as unexpected increases in intake of applications. Also, more complex files can increase the processing time. The Department reviews workloads and processes on a regular basis and adjusts as required to ensure maximum efficiency, effectiveness and quality services to clients.

Service Canada is continuously improving its services and is enhancing its technology to meet the increased demands of a growing number of Canada Pension Plan (CPP) beneficiaries.

(Response to question raised by Hon. Maria Chaput on February 8, 2012)

Service Canada will continue to focus over the next three years in modernizing the delivery of Employment Insurance, including moving forward with the consolidation of Employment Insurance (EI) processing sites.

No dates have been set to formally close the existing EI processing centres. The transition from 120 sites to 22 sites will happen gradually over three years. Each of the 22 sites was chosen following a careful review, where both national and regional perspectives were taken into consideration. Many factors were considered such as, among others, existing labour force, skill availability, bilingual capability, and real estate.

As a result of efficiencies arising from modernization of the delivery of EI including automation of EI processing and increased online services, there will be an impact on the number of staff needed and where they are located. There are approximately 600 positions which will be affected by these changes over the next three years. It is important to note that Service Canada is committed to supporting employees throughout this transition. A Workforce Management Strategy has been developed to help manage staffing through attrition, retirement, re-assignments and training. Vacancy Management Committees have also been set up in every region and branch with the goal of ensuring that all internal affected employees are considered for other available positions. As the transition will happen gradually, we cannot speculate on the exact number of positions affected at each processing site in the coming years or specifics of these positions (i.e.: language profiles).

The Official Languages Act (OLA) sets out the requirements for federal institutions to serve members of the public in Canada's official languages, including the locations of the country where bilingual service is required. Service Canada remains fully committed to meeting its obligations under the OLA.

With continuous improvements to the way that we do business — such as increased automation, improved online services, and a nationally-managed workload distribution system, Service Canada will continue to work to better respond to client's needs in a timely and cost-effective manner. For example:

- Today, 99% of the nearly three million EI claim applications are made online, either from an applicant's home or from a computer in a Service Canada Centre.
- Right now, close to one in five claims is fully automated — these are simple claims that are filed online, matched with an electronically submitted Record of Employment (ROE) and are approved for payment.
- 58% of EI processing is currently partially or fully automated and we are on track to reach our goal of 70%
- Currently 66% of Records of Employment are submitted electronically by employers. As more employers sign up, it eliminates paper burden for them and leads to faster and more cost-effective EI claims processing.

For clients accessing services by phone, we have redesigned our Interactive Voice Response System menu to make it more user-friendly and intuitive based on client feedback. We have also provided additional training to EI agents to allow them to complete common transactions that historically were sent to processing agents. This increases first contact resolution and frees processing agents to focus on more complex case management.

We have planned improvements to the My Service Canada Account to make it easier for clients to use our online services and get faster access to the EI information they need. For example, they will be able to log in and check the status of their EI application. This will mean fewer people contacting our call centres.

Other planned improvements include rapid registration for the My Service Canada Account, a redesigned, more user-friendly web page, a mobile application and a chat option. Modernizing our services will mean changes to the way we currently do business, but ultimately will allow for better, faster, more cost-effective services to Canadians.

[English]

NATURAL RESOURCES

SHALE GAS PRODUCTION

(Response to question raised by Hon. Pierre De Bané on May 30, 2012)

PREFACE

The Honourable Senator Pierre De Bané's question refers to a Geological Survey of Canada's shale gas workshop open file report on groundwater resources entitled A Review of the November 24—25, 2011, shale gas workshop, Calgary, Alberta—2. Groundwater Resources. The objective of the workshop was for participants to identify, discuss and exchange ideas on geoscience knowledge gaps that could help inform future research, particularly on groundwater management. The objective of the workshop was not to develop or modify any regulations pertaining to shale gas development or hydraulic fracturing. The report's conclusions, which are focused on possible future areas of research, support the stated objective.

Furthermore, the report, also known as an open file, is an informal discussion paper based on the personal views, ideas and concepts of participants. The report does not necessarily reflect the views of Natural Resources Canada (NRCan) or those of the Government of Canada.

QUESTION

My question for the leader is as follows: in light of the working group's conclusions and the frequent statements made by the Canadian government about the importance of having the same rules as our southern neighbours, does the Government plan to review these rules to better regulate shale gas extraction through hydraulic fracturing?

ANSWER

In most cases, regulatory responsibility over resource development, including shale gas development, resides with the provinces. The exceptions are for oil and gas development taking place north of the 60th parallel (in which case the National Energy Board is the independent federal regulator) and on Indian reserve lands (in which case Indian Oil and Gas Canada, a special operating agency within Aboriginal Affairs and Northern Development Canada, is the regulator).

The provinces of Quebec, New Brunswick and Nova Scotia are also completing environmental assessments and draft regulations should they decide they want to proceed with shale gas development.

NRCan does not have any regulatory authority with respect to shale gas development.

Mainly through the Geological Survey of Canada, NRCan contributes scientific information used in making exploration, resource management and environmental protection decisions by the provinces. For example, NRCan is currently collaborating with the provinces to map Canada's major groundwater aquifers. This mapping exercise is an example of how NRCan geoscience can help provinces improve the regulation of upstream oil and gas extraction.

OUESTION

According to the working group, the Government must take an active role in raising public awareness of this industry, which has raised many concerns. The working group stated, and I quote: "The group believes that the public is not well informed, that there is an overwhelming need for more specific information. The public is concerned about these activities, especially hydraulic fracturing, and it is the government's mandate to find and communicate answers. Research will help reassure the public."

In light of the recommendations of the governmentmandated working group, why is the Government refusing to call for greater transparency from the companies that use hvdraulic fracturing to produce shale gas?

ANSWER

The Government of Canada is not the primary oil and gas regulator. For this reason, NRCan is not the appropriate body to formally set rules and regulations promoting greater transparency on the part of industry. However, the Government does recognize the value of ongoing regulator and industry-led initiatives aimed at improving transparency and providing factual information to the public.

One such example is the BC Oil and Gas Commission's decision requiring mandatory public disclosure of chemicals used in hydraulic fracturing fluids. This information is available to the public at www.fracfocus.ca. The Web site is a collaborative effort among provinces, territories, regulators and industry to provide Canadians with objective information on hydraulic fracturing, what legislation and regulations are in place to protect the environment, including groundwater, and transparency on the hydraulic fracturing fluid ingredients.

As previously mentioned, Quebec, New Brunswick and Nova Scotia are also completing environmental assessments and draft regulations should they decide they want to proceed with shale gas development.

Secondly, NRCan and other federal departments, including Environment Canada (EC), continue to generate scientific information which can assist regulators, industry and the public in deepening their understanding of shale gas. One such initiative is EC's study on the state of knowledge of potential environmental impacts from the exploration, extraction and development of Canada's shale gas resources, which was commissioned to the Council of Canadian Academies in late 2011. NRCan is also leading a four-year project that will assess whether shale gas development can influence local or regional background seismicity. The study will be conducted in collaboration with provincial regulators and academia.

Finally, NRCan recently published a detailed analysis of the life cycle greenhouse gas emissions of shale and conventional natural gas. This study concludes that emissions from shale gas are slightly higher than those from conventional natural gas but are still much less than comparable emissions from other fuels, such as coal or petroleum.

[Translation]

PUBLIC SAFETY

POLICE OFFICERS RECRUITMENT FUND

(Response to questions raised by Hon. James S. Cowan on May 15, 2012)

Budget 2008 set aside a one-time allocation of \$400 million (allocated on a per capita basis and over five years) for the creation of the Police Officer Recruitment Fund to assist provinces and territories to recruit additional front-line police officers. All provinces and territories participated in the initiative.

The funds were structured in such a way as to give provinces and territories flexibility to use the funding to address their unique public safety priorities and policing needs, while at the same time respecting provincial jurisdiction for policing. Provinces and territories are responsible for accessing and allocating their portions of the funding to meet their public safety priorities.

It is important to note that \$400 million represents a significant contribution to policing costs incurred by the provinces and territories for an area of jurisdiction in which they have responsibility.

So far, the Police Officer Recruitment Fund has contributed to increasing the number of police officers across Canada by more than 2,000 since just 2009.

NATIONAL DEFENCE

IMPACT OF BUDGET CUTBACKS

(Response to question raised by Hon. Roméo Antonius Dallaire on June 18, 2012)

When the *Canada First* Defence Strategy (CFDS) was launched by the Prime Minister in 2008, it marked a new era of investment in the Canadian Forces, providing the tools and resources necessary to rebuild and modernize the CF into a first-class, modern military.

Our strong investment — along with the dedication of our men and women in uniform — has enabled the Canadian Forces to deliver impressive operational results, both at home and abroad.

Like all Government departments, the Defence budget will see some reductions, as announced in Budget 2012. As we adapt the defence establishment to this reality, we remain

committed to the CFDS framework and will continue to deliver a modern, multi-role, combat-capable Canadian Forces postured to respond to current and future challenges.

CLOSURE OF GENERAL JEAN V. ALLARD COMMEMORATIVE LIBRARY IN SAINT-JEAN-SUR-RICHELIEU

(Response to question raised by Hon. Pierre De Bané on June 14, 2012)

The General Jean Victor Allard Commemorative Library in Saint-Jean was not closed, but rather transformed, in December 2010. The decision to transform this library followed a strategic thinking process initiated in 2010. Consultations with the Commanders of the Canadian Forces Language School, the Leadership and Recruit School, Royal Military College Saint-Jean and authorities of the Saint-Jean Garrison determined that there was only one operational requirement for the library in question, and that is to support the primary mandate of the Canadian Forces Language School as a teaching resource for second official language education and training.

The Department of National Defence (DND) and the Canadian Forces managed two libraries located in the Saint-Jean area, one on the Saint-Jean Garrison and another located on the campus of the Royal Military College Saint-Jean. In addition, the Saint-Jean region has four other libraries in close vicinity for the community at large. National Defence considered potential impacts of this transformation and has implemented measures to mitigate them. A joint working committee was established to determine, among other things, documents and collections that will be retained by the Pedagogical Resource Centre or diffused to other departmental libraries or the local library networks.

The transformation of the General Jean Victor Allard Commemorative Library has been part of a deliberate planning effort and was an opportunity to innovate and streamline resources and capabilities while reducing duplication of services being provided. Further, the library is portrayed in the Official Language Commissioner's report as being a service to the general public, when this is not the case: the library has never had a mandate to provide services to the public as access to the Garrison is restricted. Given the military and civilian population of the Saint-Jean Garrison, it was determined that one library, the educational library at the Royal Military College Saint-Jean, would provide those services for the area and the Pedagogical Resource Centre would be better utilized serving the second official language education and training programs provided by the Canadian Forces Language School.

National Defence and the Canadian Forces take their role very seriously regarding the commitment, under Part VII of the Official Languages Act, to foster the vitality of the official language minority communities. The joint working committee mentioned above is working diligently to offer both its English and French book collection to other

departmental libraries and to the local community libraries in the Saint-Jean region. By collaborating as such, we are actually enhancing the accessibility to English-language material readily available to the general public.

AGRICULTURE AND AGRI-FOOD

CANADIAN FOOD INSPECTION AGENCY—CONTAINER REGULATIONS—STAKEHOLDER CONSULTATIONS

(Response to question raised by Hon. Elizabeth Hubley on June 14, 2012)

The Canadian Food Inspection Agency (CFIA) is focusing its time and resources on activities that improve food safety as well as animal and plant health. At the same time, the Agency is trying to reduce the non-safety regulatory burden on industry. As part of this initiative, non-safety related regulations regarding container sizes will be removed or streamlined making it easier for businesses to operate. These changes will not reduce food safety in any way.

Revising these restrictions will give consumers greater choice and allow industry to take full advantage of new packaging innovation, formats and technologies. This initiative includes all foods (processed and fresh) subject to container size requirements.

This initiative only impacts regulations for container sizes. Domestic and imported potatoes will still need to meet all other Canadian regulatory requirements (including food safety, grade and labelling) after the repeal.

Also, Ministerial Exemptions will still be required after the repeal for the importation or inter-provincial trade of potatoes not meeting grade or labelling requirements that are destined for processing.

In the past, the CFIA has had discussions with stakeholders on the subject of container sizes and the impacts of changes to various industries.

The CFIA will continue to provide stakeholders with further updates on the forthcoming changes.

[English]

FOREIGN AFFAIRS

AFGHANISTAN—WOMEN'S RIGHTS

(Response to question raised by Hon. Mobina S.B. Jaffer on June 6, 2012)

In November 2010, Canada announced its renewed commitment to Afghanistan until March 2014. This renewed engagement builds on Canada's significant experience and investments in Afghanistan to date, supports Afghan-developed priorities, and sustains progress in key areas essential to Afghanistan's future.

The Canadian Forces' contribution to Canada's Whole-of-Government engagement in Afghanistan focuses on helping to increase the stability and security of the country, and establish the conditions enabling further improvements to development and governance. This will not only support the promotion of women rights and gender equality, but also allow Afghan women to continue to establish their role in Afghan society. Canada will stay committed to gender equality through its renewed engagement in Afghanistan, and to the advancement of the provisions of United Nations Security Council Resolution 1325; and human and women rights will remain one of the priorities of the Canadian mission.

Operation ATTENTION, the Canadian Forces' mission in Afghanistan supports, and takes place within, the broader North Atlantic Treaty Organization (NATO) Training Mission in Afghanistan (NTM-A). This international mission — placed under the NATO International Security Assistance Force chain of command — supports the Government of Afghanistan and contributes to the development of the Afghan National Security Forces as an effective and professional security force. The Canadian task force — known as the Canadian Contribution to the Training Mission in Afghanistan or CCTM-A — is concentrated in Kabul, with a satellite team at the Regional Military Training Centre—North in Mazar-e-Sharif.

Most CCTM-A members serve with Training Advisory Groups assigned to the Afghan National Army (ANA), Afghan Air Force and Afghan National Police training establishments. These members assist and mentor Afghan leadership and instructor cadres in all aspects of training, from initial recruit training to developing senior Afghan officers. CCTM-A also includes Canadian senior officers who are integrated into the NTM-A command team, and a significant contingent of experienced staff personnel who serve at NTM-A Headquarters.

Up to 950 Canadian Forces members are serving under Operation ATTENTION. The incremental operating costs of Operation ATTENTION have been estimated at \$522 million over the three-year duration of the mission (2011-2014) and mission close-out, subject to further review as the mission winds down and troop levels are reduced. After the United States, Canada remains the second largest contributor to NTM-A. As the Prime Minister stated on May 21, 2012, Canada will not have a military mission in Afghanistan after the training mission ends in March 2014. However, Canada will contribute \$110 million per year over three years (2015-2017) toward helping sustain the Afghan National Security Forces.

As noted previously, the Canadian Forces contribution falls within the larger NATO mission. The broad NATO training agenda in Afghanistan is designed to support the development of a sustainable Afghan security capability, and includes not only activities targeted at core security and military capacities, but also intends to raise the Afghan National Security Forces' awareness of issues crucial to the development of professional security forces. NATO's efforts

on this front support, and are consistent with, Afghan and international documents — including the Constitution of Afghanistan, the Afghan National Development Strategy and the National Action Plan for Women in Afghanistan — and their provisions on gender and human rights.

The Mission strives to address gender issues and improve gender equality through various initiatives and efforts:

- increasing the number of women in the Afghan National Security Forces by supporting their recruitment and training;
- developing a work environment more conducive to the integration of women, such as by supporting the opening of a kindergarten at the National Police Academy of Afghanistan;
- contributing to the development of Afghan National Security Forces female leaders, officers and mentors through its support for leadership courses and women officers' schools;
- training multi-national engagement teams to raise the awareness of gender issues in the Afghan society and fostering teams' better understanding and ability to address gender-related security concerns and concerns of the women serving within the Afghan National Security Forces;
- supporting the professionalization of the Afghan forces and their awareness of gender issues through contribution to training curricula and activities;
- supporting the development and the inclusion of training on human rights, gender issues and gender integration for the Afghan National Police; and
- sponsoring a number of seminars to increase Afghan National Security Forces members' awareness of gender issues, as well as symposia and other related initiatives giving a voice to Afghan female leaders.

The Canadian Forces are not aware of any rape investigation training currently being delivered by NTM-A; however, the NATO Training Mission in Afghanistan supports a range of training activities focused on gender issues, and contributes to improving the situation of Afghan women. Similarly, the RCMP reports that although it offers no specific rape investigation training for the Afghan National Police, some of the principles would be covered in a general sense (e.g. as part of a forensics course or general investigative techniques) in regular courses.

Through the Global Peace and Security Fund, Canada is currently funding a number of projects that are aimed at promoting and protecting the human rights of Afghan women and girls. Among these projects is support for the Afghan Women's Network as it monitors the implementation of UNSCR 1325 in Afghanistan and advocates to ensure that this vital instrument for ensuring women's and girls' rights

and security remains a priority. Women and girls are also the focus of a number of other GPSF-supported projects, including:

- improving training and facilities for female Afghan law students to encourage them to complete their training and to better equip them for success upon completion of their studies;
- strengthening the capacity of Afghan civil society and women's access to justice by training young lawyers, especially women, in awareness and practice of Afghanistan's human rights legislation;
- enhancing the management and operational capacity of Afghan civil society organizations, with a particular focus on women-led or womenfocused groups, in order to make them more professional and effective in their advocacy efforts;
- increasing Afghan women's awareness of and access to the justice system via mobile phone networks;
- protecting and promoting women's rights within the context of Islam through a public information campaign aimed at religious leaders and the broader community; and
- expanding women's participation in Afghanistan's elections by training female election observers and conducting training on electoral processes at women's teaching training institutes and girls' schools.

Canada's objective remains to help Afghans rebuild Afghanistan into a viable country that is better governed, more stable and secure, and no longer a safe haven for terrorists. Central to that objective is the ability of all Afghan citizens to participate fully in the political, social and economic life of their country and to enjoy and exercise their human rights. Afghanistan's reconciliation and peace process, which will involve negotiation with socially conservative insurgent forces including the Taliban, makes this governmental commitment all the more crucial. To that end, Canada frequently and strongly advocates for ongoing attention to, and respect for, the rights of women and girls in its interactions with the Government of Afghanistan. In multilateral for a such as the United Nations, the G8, NATO Summits and conferences on Afghanistan at Bonn in December 2011 and the Tokyo Conference in July 2012, Canada is an active proponent of explicit language and measures affirming Afghanistan's continued commitment to preserving and promoting the rights of Afghan women and girls. Furthermore, Canada supports mutual accountability measures that would identify progress in the situation of women and girls, and of human rights in general, as an indicator guiding the international community's ongoing development and aid support for Afghanistan. Canada's Embassy in Kabul, too, actively engages civil society and government representatives on women's and girls' rights, frequently joining partners in the international community to encourage and support Afghan-led efforts to address issues of concern and bring about satisfactory resolutions.

As Minister of Foreign Affairs John Baird said in his address at the Bonn Conference, Canada's commitment to Afghanistan will not end beyond 2014. We will continue to work with the Afghan government and people to help them build a stable, secure and inclusive society.

HUMAN RESOURCES AND SKILLS DEVELOPMENT

EMPLOYMENT INSURANCE—BOARDS OF APPEAL

(Response to question raised by Hon. Jane Cordy on June 5, 2012)

The Social Security Tribunal (SST) will mean a more streamlined and efficient process for Canadians who are appealing decisions regarding Employment Insurance (EI), Old Age Security (OAS) and the Canada Pension Plan (CPP). By consolidating the four existing tribunals under HRSDC/Service Canada, the Government of Canada will provide Canadians with a single-window decision body to make faster decisions and resolve appeals by eliminating overlap in administrative processes.

The move from part-time, three member tribunal panels to full-time, single member tribunal panels will lead to improved efficiency and quality of decision-making.

Currently, for EI first-level appeals, approximately 300 part-time Boards of Referees (BOR) consisting of three panel members convene on average less than two days a month to hear and decide client appeals. In the fiscal year 2011-2012, the BOR conducted 6,035 hearing days, heard and decided 21,164 appeals, for an average of less than 70 cases per year per member.

Under the new Social Security Tribunal (SST), the membership will consist of full-time single member panels. What this means is that each member will be reviewing, hearing and deciding appeals every working day of the year. With time factored in for travel, meetings, and vacation leave, each full-time member could reasonably hear and decide over 650 appeals per year. A member complement of up to 40 full-time persons would allow the tribunal to handle workloads in excess of current volumes and within current timeframes.

With respect to the constitution of the current BOR, it includes a chairperson appointed by the Governor in Council, and an Employer Representative and Insured Persons Representative appointed by the EI Commissioner for Employers and Workers, all from the community in which their board centre is located. However, when a Board convenes to hear an appeal, it does not act on behalf of the EI Commission, the employer or the claimant, regardless of each member's affiliation. The Board renders a decision based on the facts of each case and the law.

Like the BOR, the members of the SST will be drawn from communities across Canada, bringing with them knowledge of local and regional labour markets. Under the new legislation, the EI Commissioners will participate in consultations with the Minister on appointment recommendations for those to be appointed as members to

hear EI matters. And like the BOR, the SST member will render decisions based on the facts of each case and the law.

The appeal process will continue to be accessible and informal and appellants will not be required to hire a lawyer. Decisions will be made by trained, full-time members with relevant experience. As they will be dealing with appeals on a daily basis, they will quickly develop a high level of expertise resulting in high-quality consistent decisions. The SST's rules of procedure will prescribe timelines within which decisions will be issued, for both the first and second levels of appeal.

[Translation]

PUBLIC SAFETY

CANADA BORDER SERVICES AGENCY— AIRPORT SURVEILLANCE

(Response to question raised by Hon. Larry W. Campbell on June 20, 2012)

The Canada Border Services Agency (CBSA) has heard concerns from Canadians regarding the privacy impact of this practice. As the Minister of Public Safety has stated, the CBSA welcomes the Privacy Commissioner's study of this policy. The Minister of Public Safety has directed the CBSA to halt audio monitoring, with the exception of recorded interviews, until a Privacy Impact Assessment can be submitted, and recommendations from the Privacy Commissioner can be reviewed by the Government. Neither the CBSA nor the Government of Canada provided specific direction to enable the monitoring or recording of audio. It is important for agencies tasked with protecting Canadians to have the right tools to catch smugglers and keep criminals and other unwelcome individuals out of Canada. It is equally important that these tools do not infringe on individuals' privacy in a way that is unjustified or unnecessary to ensure security.

FISHERIES AND OCEANS

EXPLOITATION OF INTERNATIONAL WATERS

(Response to question raised by Hon. Pierre De Bané on June 27, 2012)

Last year, the United Nations General Assembly adopted Resolution 66/231 on Oceans and the Law of the Sea (by a vote of 134 yeas, 1 nay and 6 abstentions). The resolution endorsed a process to address in further detail, by identifying gaps and ways forward, issues related to the legal framework for the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction as recommended by the UN Ad Hoc Openended Informal Working Group to Study Issues Relating to the Conservation and Sustainable Use of Marine Biological Diversity Beyond Areas of National Jurisdiction. Canada voted in favour of this widely supported process, which was agreed to as a way to achieve consensus on this matter through the UN.

At the Rio + 20 United Nations Conference on Sustainable Development (Rio + 20), a number of countries wanted to move towards the immediate start of negotiating, under the United Nations Convention on the Law of the Sea (UNCLOS), an implementing agreement related to marine biological diversity beyond areas of national jurisdiction. These negotiations would essentially cover the issues already being examined under the UN process, including a benefit-sharing regime for marine genetic resources such as those found in the sea bed.

Canada opposed the calls for the start of negotiations of an implementing agreement under UNCLOS at Rio + 20 as it would have pre-empted the UN process before the UN Working Group and its workshops were given a chance to begin their work. Canada believes that existing mechanisms should be given the opportunity to be fully implemented before agreeing to the creation of a new international process.

LABOUR

CANADA LABOUR CODE

(Response to question raised by Hon. Jean-Claude Rivest on May 29, 2012)

There are no legal plans at this time to amend the *Canada Labour Code* to eliminate workers' legal opportunities to withhold their services by way of work stoppages or other job actions.

Part I (Industrial Relations) of the *Canada Labour Code* generally works quite well. In fact, over the past 5 years, on average, 94% of negotiations, where the services of Federal Mediation and Conciliation Services were used, have resulted in a collective agreement without a work stoppage.

In addition, although there is recognition of a need to limit work stoppages in some circumstances, complete bans on strikes and lockouts are not viewed as necessary. In 1995, the Sims Task Force, which reviewed Part I of the *Canada Labour Code*, recommended against any general prohibition on the right to strike or lockout. More recently, in 2008, the Annis report, which considered options to reduce the frequency and duration of work stoppages, did not suggest that strikes or lockouts should be banned outright. Both reviews involved extensive consultations with employer and labour stakeholders, none of whom called for a general elimination of the right to strike in federally regulated sectors.

The Government's top priority continues to be economic growth and supporting long-term prosperity, and its policies and actions must serve that objective. The Government therefore adopted the Annis recommendation that, in order to reduce the incidence of work stoppages, emphasis should be placed on preventive mediation services and strengthening union-management relationships. To that end, Budget 2011 and the subsequent *Appropriation Act* increased funding by \$500,000 per year to expand the Labour Program's Preventive Mediation activities. Preventive mediation can be

customized to meet the specific needs of a particular workplace, supporting employers and unions in improving labour relations and thus helping to prevent costly work stoppages.

SCIENCE AND TECHNOLOGY

ARCTIC RESEARCH

(Response to question raised by Hon. Claudette Tardif on May 17, 2012)

Economic Action Plan 2012 reiterates the government's commitment to return to balanced budgets over the medium term, while continuing to support economic growth and innovation. As part of this plan, the research granting councils are pursuing operational efficiencies and reallocating funding from lower-priority programs to generate savings. Core programming that directly supports basic research (e.g., Discovery Grants) has been preserved. The Government will fully reinvest 2012-13 savings in priority areas of the granting councils, particularly in industry-academic partnerships.

The MRS program was designed to provide operating support to unique Canadian-based research facilities. Grants were awarded based on competitive peer-review process for up to three years.

The overall budget for the MRS program is \$11.6 million. Of that funding, \$6 million is earmarked for the Canadian Light Source and TRIUMF's Centre for Molecular and Materials Sciences. In addition, the program's funding was decreased by \$3.7 million through Budget 2012. This leaves an envelope of just over \$1.8 million for the component of MRS that supports experimental facilities, an insufficient amount to run a competition. As a result of these reductions, the MRS program will no longer accept new applications on an indeterminate basis. Grants from previous competitions that have not yet expired will be honoured.

To ensure that facilities funded through this program can adjust their operations accordingly, NSERC will be providing one year of funding — at 70 percent of previous funding levels — to facilities that had previously received an annual MRS grant of \$100,000 or more, and received a positive assessment by the MRS Selection committee. Through this decision, the Kluane Lake Research Station will receive \$70,000 in 2012-13 through the MRS program.

Science and Technology form an important foundation for Canada's Northern Strategy Priorities. The Government of Canada is committed to Arctic science and technology and continues to offer a suite of important initiatives that contribute to making Canada a leader in Arctic science and technology.

Examples of recent significant new or renewed federal investments in Arctic S&T include:

• Budget 2012 reaffirmed the Government's commitment to build the Canadian High Arctic Research Station (CHARS). This facility will provide a year-round Northern presence and help to complement and anchor Canada's research

infrastructure across the North. Budget 2010 announced funding of \$18 million over five years to commence the pre-construction design phase for the CHARS, which will be located in Cambridge Bay, Nunavut. In addition, Prime Minister Stephen Harper announced plans in August 2012 to spend \$142.4 million over the next six years on construction, equipment, and start-up costs for the facility and \$46.2 million over the next six years on its science and technology research program

- Funding for the ArcticNet Network of Centres of Excellence was renewed in 2011. This network will receive \$67.3 million through to 2018 to support research into climate change in the Arctic.
- In 2011, a project entitled Arctic Development and Adaptation to Permafrost in Transition (ADAPT) was funded by NSERC through its inaugural Discovery Frontiers competition. This project, led by Dr. Warwick Vincent, of the Centre d'études Nordiques de l'Université Laval, will receive \$4 million over a four-year period.
- Budget 2011 announced new funding to support climate change and atmospheric research at Canadian post-secondary institutions. NSERC has launched a competition for grants supporting large, integrated research projects that address major challenges in three theme areas, including understanding recent changes in the Arctic and other Canadian cold region environments. It is anticipated that approximately 7 to 12 research networks will receive from \$500,000 to \$1 million per year, for up to five years. NSERC received 58 letters of intent for this competition, and has invited 24 finalists to submit full applications by October 1. The Polar Environment Atmospheric Research Laboratory (PEARL) is a finalist in this competition.
- In May 2010, the first group of the Canada Excellence Research Chairs (CERC) was announced. These chairs received \$10 million over 7 years to establish ambitious research programs in areas of national importance. Of the 19 research Chairs awarded, 3 chairs were awarded to researchers focusing on Arctic science.

As is evidenced by the above examples, the Government of Canada remains committed to supporting Arctic research.

[English]

HUMAN RESOURCES AND SKILLS DEVELOPMENT

EMPLOYMENT INSURANCE—WOMEN LIVING IN POVERTY

(Response to question raised by Hon. Art Eggleton on March 8, 2012)

Our government's approach to reducing poverty emphasizes providing Canadians with skills and opportunities to achieve self-sufficiency, while offering targeted supports for those facing particular barriers. The measures announced since 2006 have demonstrated our efforts to support Canadians, both during periods of economic growth, and now, as our country is emerging from the global recession. Budget 2011, the Next Phase of Canada's Economic Action Plan—A Low-Tax Plan for Jobs and Growth, supports job creation and continues to lay the foundation for sustainable economic growth.

Our approach is built upon key principles. Our actions to encourage labour market attachment are rooted in the principle that sustained participation in the labour market is the most effective way to ensure the economic security of Canadian families. Our government has put in place measures to make work pay, and ensure that individuals are in a better financial position when they secure employment. Our government also invests in skills and training programs and makes significant annual transfers to provinces and territories to design and deliver programs and services that meet local labour market needs.

There is a long list of programs and initiatives designed to assist people who are less fortunate. These include:

Working Income Tax Benefit (WITB) Old Age Security (OAS) program Guaranteed Income Supplement (GIS) Universal Child Care Benefit (UCCB) Canada Child Tax Benefit (CCTB) National Child Benefit (NCB) Supplement Child Tax Credit (CTC) Children's Fitness Tax Credit Children's Arts Tax Credit Family Caregiver Tax Credit Disability Tax Credit (DTC) Registered Disability Savings Plan (RDSP) Eligible Dependent Tax Credit (EDC) Employment Insurance (EI) **Employment Insurance Family Supplement** Apprenticeship Incentive Grant (AIG) Apprenticeship Completion Grant (ACG) Career Transition Assistance (CTA) Aboriginal Skills and Employment Training Strategy (ASETS) Aboriginal Skills and Training Strategic Investment Fund (ASTSIF) Skills and Partnership Fund (SPF) Aboriginal Skills and Employment Partnership (ASEP) Opportunities Fund for Persons with Disabilities (OF) Canada Pension Plan Disability program (CPPD) Youth Employment Strategy (YES) Canada Student Loans Program (CSLP) Canada Student Grants Program (CSGP) Repayment Assistance Plan (RAP) Repayment Assistance Plan for Borrowers with Permanent Disabilities (RAP-PD) Canada Disability Savings Grant (CDSG) Canada Disability Savings Bond (CDSB) Canada Pension Plan (CPP)

Social Development Partnerships Program (SDPP) Homelessness Partnering Strategy (HPS) Affordable Housing Initiative (AHI)

The Canada Social Transfer, which provides financial support to the provinces and territories for social assistance and social services, including early childhood development, early learning and child care, and post-secondary education, will total close to \$11.9 billion in 2012-2013.

PUBLIC SAFETY

CANADA BORDER SERVICES AGENCY

(Response to questions raised by Hon. Wilfred P. Moore on June 6, 2012)

The Canada Border Service Agency (CBSA) is mandated with providing integrated border services that support national security and public safety priorities and facilitate the free flow of persons and goods, including animals and plants, that meet all requirements under the program legislation. The CBSA's mandate is specifically found in Section 5 of the CBSA Act.

As per section 6 of the CBSA Act, the Minister is responsible for the Agency. Accountable Government: A Guide for Ministers and Ministers of State 2011 is very clear: "In the context of their accountability to the House of Commons, Ministers are required to answer parliamentary questions within their areas of authority."

[Translation]

ORDERS OF THE DAY

POINT OF ORDER

Hon. Fernand Robichaud: Honourable senators, I would like to raise a point of order. It may be more a point of clarification than a point of order.

The Rules pertaining to Senators' Statements, and I am referring to the new version we received, state the following on page 14, in rule 4-2.(5)(b):

Statements should not relate to an order of the day but should relate to matters of public interest that could not otherwise be brought to the immediate attention of the Senate under its Rules and practices.

Rule 4-2.(6) states the following:

Matters raised during Senators' Statements shall not be subject to debate. Senators who are making statements are bound by the usual rules governing the propriety of debates.

I have always assumed that, when making a senator's statement, we were not to raise issues that could be subject to debate. I believe that His Honour has given a ruling to that effect. However, my problem is how a senator can be called to order when that senator has made a senator's statement that contravenes the Rules, since we cannot rise on a point of order during Senators' Statements and Routine Proceedings.

Perhaps the Rules are not applied enough, because this period is to be used to draw attention to events that take place in our provinces and communities. I truly believe that it is not appropriate to raise an issue that could be subject to debate during Senators' Statements, as was the case today. It can be done, as indicated in rule 4-2.(5)(b), in an inquiry where all honourable senators would have the opportunity to participate in the debate.

Honourable senators, I am simply seeking clarification as to how we are going to enforce this new rule.

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I am very pleased that we are going to address this point of order using the new *Rules of the Senate*.

I would like to remind the Honourable Senator Robichaud that rule 4-2.(6) states the following:

Matters raised during Senators' Statements shall not be subject to debate.

Yet this is what he is trying to do: start a debate on a senator's statement. Statements are not subject to debate, which means that senators rely on their own judgment to raise an issue that they feel is urgent and that must be brought to the attention of the Senate. There is no debate on this issue during the time for Senators' Statements.

This does not mean that we cannot raise thorny issues or issues that could lead to debate as part of an inquiry or a motion. The rule simply states that matters raised during Senators' Statements are not subject to debate.

Hon. Pierre Claude Nolin: Honourable senators, I do not know whether you have the new Rules in front of you. However, I would like to remind you that rule 2-6.(1) states the following with regard to the Speaker's authority:

The Speaker may interrupt any proceeding in order to restore order or enforce the Rules.

I submit that in a situation such as the one described by the Honourable Senator Robichaud, it would be the Honourable the Speaker's responsibility to ensure that the senator follows the Rules.

[English]

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, if I could add very briefly to this discussion, I do not think my colleague Senator Robichaud was debating the substance of Senator Plett's statement, but simply saying that the statement that he made contained statements that were debatable and, while they may be believed and believed strongly to be true by Senator Plett, there may be others of us in the chamber who take a different view. If he wishes to express those views, as he is perfectly entitled to do, Senator Robichaud is suggesting that there is a different vehicle that he could use, a motion or inquiry or something, when he could express his views and would have longer to do so - I am sure he had more to say on the subject — than in the brief interval that is available to us for Senators' Statements. Then others of us who wish to engage in the debate — and I think my colleague Senator Peterson might have a word or two to say on that issue as well — would have an opportunity to express their views.

However, in the context of Senators' Statements, there is no opportunity for others to express a view that is contrary to that which is expressed in the statement. I think that is the point my colleague is making.

Hon. Anne C. Cools: Honourable senators, I rise to speak to this point of order. I must admit that I did not hear the beginning of the discussion, and I did not hear Senator Plett's intervention to raise it, but I do understand the intent and the substance of Senator Robichaud's point of order on Senator Plett's intervention.

• (1530)

As honourable senators would know, Senator Robichaud's concerns are not new and have been raised during debate on countless occasions here. I think it is fair to say that if we were to do a very quick canvass of those various debates and the points of order that have been raised concerning them, we would have to come to the conclusion that Senator Robichaud is standing on some pretty firm, sound and supportable ground.

I would like to make a point that I have made here on many occasions; namely, that the rubric Senators' Statements is intended as an opportunity for senators to bring important issues to the attention of honourable senators and the Senate itself, but it is not a forum or rubric for argument or questions that must be argued. That is the distinction. Therefore, no senator should invite argument. Neither should any senator make a statement that is argumentative, needing debate.

Honourable senators, as I have often said here, the rubric Senators' Statements is supposed to be used to inform senators of positive things that need no debate. Regardless, these statements are matters that are not intended to invite argument, and they must not do so. Once argument or full debate is engaged, every senator must have an opportunity to respond. For every point that is ever made in an argument, there will be an equal and opposite view, and other senators have a right to answer and debate.

I think the task of Your Honour, Senator Kinsella, is somewhat easier than it appears, because the point has been made here time and again that the rubric Senators' Statements should not invite or engage argument and should not be about argumentative or controverted issues.

The Hon. the Speaker: I thank all honourable senators for their contribution to this discussion on the point of order raised by the Honourable Senator Robichaud.

I will begin by dealing with the reality of this house. It is a very special house in the Westminster system because it is regulated by the members. It is not our tradition that the Senate is ruled by the senator who happens to sit in the Speaker's chair. This is a long tradition based on the House of Lords. For years, the Lord Chancellor sat in the Woolsack and never adjudicated any point of order. This practice perhaps "grew up" on this side of the Atlantic Ocean. It is my view that the Speaker of the Senate of Canada should follow as closely as possible the guidance of all honourable senators.

For those new senators who have joined us today, when they rise, it is our tradition to address "honourable senators" and not to address "Mr. Speaker." To do the latter is the tradition in the place where the carpet is green. I like to draw the distinction of the colour of the carpet in this chamber as being different from that in the other place. I am not sure whether the meadows of Runnymede have any relationship to the colour of the carpet in the other place, but this house is the throne room. This is where the thrones of Canada are located. This is why honourable senators operate very differently, with a different role, a different history, a different etiquette and a different set of rules.

When we find it necessary to draw guidance from the practices of another Westminster system, we do so. However, it is important that we recognize that it is our own responsibility to regulate this house. It is not the responsibility of the Speaker directly, although, as the Honourable Senator Nolin has pointed out, the Speaker has been given certain responsibilities under the Rules to do certain kinds of things. One of those responsibilities is to maintain order.

When it comes to Senators' Statements, I find it very difficult to be a priori in exercising judgment. It is much easier to exercise the a posteriori judgment, which is to hear the statement and then reflect upon it. If the Speaker were to get up and adjudicate in mid-stream upon an honourable senator's statement, he or she might have missed the point completely and be dutifully sent to the gallows, and quite properly.

It is very difficult for the Speaker to intervene until the three minutes are over. However, I would say the Speaker should be more disciplined in ensuring it is only three minutes if he or she hears things that are being said that could lead into the area of debate

I think Senator Robichaud has explicated the rule quite correctly, and I concur with the point of order he raised.

EMPLOYMENT INSURANCE

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck, calling the attention of the Senate to the need to adequately support new mothers and fathers by eliminating the Employment Insurance two-week waiting period for maternity and parental benefits.

Hon. Elizabeth Hubley: Honourable senators, I am pleased to rise today to speak to Senator Callbeck's inquiry calling the attention of the Senate to the need to adequately support new mothers and fathers by eliminating the Employment Insurance two-week waiting period for maternity and parental benefits.

Good policies are not built overnight. They take time and debate, trial and error, regular review, updates and revisions. The system of maternity and parental benefits in Canada is no different. For over 40 years, successive governments have made changes to this important policy as they responded to the needs of new parents and the winds of social change. Today, Canadian mothers and fathers have access to a combined 50 weeks of maternity and parental leave. Moreover, recent changes mean that self-employed parents also have the option of voluntarily registering and paying into the system in order to take out benefits when they need them. The system is working better now than it ever has, but this does not mean we should become complacent. We can still make improvements.

• (1540)

One such improvement would be to eliminate the mandatory two-week waiting period for those benefits. As the Honourable Senator Callbeck has already pointed out, this one small administrative change could substantially improve the whole program for everyone. This is a straightforward, common sense amendment; something that new parents have been asking for and something that could be done easily and at no further cost to taxpayers.

Critics argue that this change is not needed, that the waiting period acts like a deductible, eliminates short-term claims and cuts down on administrative costs. Honourable senators, these concerns are unfounded. Unlike Employment Insurance claims, maternity and parental benefits claims are stable and predictable. They are not just another form of insurance; they are an investment in the critical first year of a new citizen's life.

Also, as Senator Callbeck highlighted in her speech, maternity and parental benefits are not short-term claims. The average maternity benefit claim is for almost the full 15-week allotment, and the average parental leave benefit is slightly more than 28 weeks.

Honourable senators, the two-week waiting period may still serve a function in saving time and costs when it comes to regular EI benefits, but for maternity and parental benefits, it has outlived its usefulness and only serves to place an extra burden on new parents.

Low-income women, in particular, find the waiting period a hardship. Studies have shown that 90 per cent of the time it is women who serve the two-week waiting period. For those women who are single parents or are struggling financially, waiting to receive benefits can be a source of stress and difficulty. Those first two weeks with a new baby are already stressful enough. New parents need access to their benefits and they need them immediately.

Eliminating the two-week waiting period is a small change that is easy to implement, makes practical sense, and responds to the needs of parents. It is something we should seriously consider if we want to ensure our maternity and parental benefits system continues to be effective.

Perhaps also worth considering is not just eliminating the twoweek waiting period, but going one step further and actually replacing it with an extra two weeks of paid maternity benefits. The Women's Network of Prince Edward Island supports this idea and suggests that it would especially help disadvantaged and vulnerable women.

Honourable senators, let us build on the progress we have made over the last 40 years. It is time to give serious consideration to eliminating the two-week waiting period and ensuring parents receive their money when they need it.

Hon. Jane Cordy: Will Senator Hubley take a question? I know she spoke about the two-week waiting period being a hardship, particularly for low-income women and low-income families because they are not receiving any income for that time.

In fact, I do not know anyone who will be on maternity leave who will be looking for a job during the two-week waiting period, and I think that was the intent of the two-week waiting period, that perhaps one would find a job. However, I do not think people who have just had a baby will be looking for a job, so what is the intent of the two-week waiting period? It does harm new parents.

Senator Hubley: I thank the senator for the question. She is quite right. I think she has illustrated the difference in the maternity and parental benefit as it compares to the EI system.

There is predictability to having children; they just do not fall from the sky. The first two weeks is a stressful time, and it is a time when the caregiver should be putting his or her emphasis on caring for the newborn and all of the other activities that come with having a new child in the family.

Senator Cordy: Of course, with many professional jobs, the businesses are willing to span and cover that two-week period to provide the new mothers benefits. However, a minimum wage worker not making much money and not receiving benefits is not likely to have coverage for that two-week period, so we are certainly hurting those who are low income.

There is another issue relating to maternity benefits, and I wonder if the honourable senator would comment on the new rules brought in by Minister Finley regarding EI, namely, the clawback for the first dollar earned by people who are on EI. I heard of a case where a mother, who was a nurse, was off on

maternity leave. We know there is a shortage of nurses, and she kept receiving calls from the hospital to see if she would go back to work for a day a week. She decided that she would go back to work for a day a week to help out the hospital but also because she did not want to be off for a full year from her profession. She thought that she and her husband could manage. I think she had quite a lengthy drive to the hospital, close to an hour. Then she discovered that she was being penalized because her salary for that one day a week was being clawed back by 50 per cent. Here again we are penalizing those who are on maternity leave. Previous to this new EI legislation one could earn a certain income before one would be clawed back, but with these new rules that have been brought in, one is clawed back from the first dollar one earns. Will that also hurt new parents?

Senator Hubley: I thank the honourable senator for that question as well. The measure will absolutely impose an extra hardship and additional stress on young parents. I am pleased that the senator mentioned the number of women in our society who perhaps will not have the opportunity to have their company support them for those two weeks, but let us look at the number of young women who may be single parents and the plight they will be facing when they are looking for two weeks' income when they have had their baby.

The clawback will be devastating; I believe we will feel it even more in the Maritimes. I am sure all Canadians will feel it, but the stories are coming out now and they are so practical. These are stories of people who really want to work. They have been used to picking up a few extra hours at their jobs, as needed; perhaps if it is seasonal it is only needed for a certain time. They are so willing to try to make the system work, but it will just not work for them.

The travelling costs, the expenses from home, taking their lunches — all of those expenses will be felt by them now. These people are low income to begin with, and now the extra initiative they are showing to help the economy, which needs these people, will again burden them, and I am afraid they will not be able to do it, honourable senators. Of course, young families, new families and young mothers and young fathers will be affected because of that.

Hon. Joan Fraser: Would Senator Hubley take another question?

Senator Hubley: Of course.

Senator Fraser: I very much like the suggestion that Senator Hubley and Senator Callbeck are making. I think it would be an ideal way to go.

Experience teaches that the bureaucracy does not like change. A two-week waiting period will be it for everyone.

• (1550)

Has the honourable senator given any thought to a slight alternative? Most of us plan to begin our maternity leave on a given date, and we tell our employers we will be leaving on maternity on such and such a date, so we know ahead of time. Would it be feasible for the system to allow the two-week waiting period to begin two weeks before the maternity leave starts, if honourable senators see what I mean? That way, everyone would still have a two-week waiting period, but the expectant mother would receive her benefits when she needs them.

I think this might be particularly useful because sometimes one gauges it wrong. With my first maternity leave, I cut it very fine indeed and went into labour six hours after I left the office. It would have been very helpful if I had been able to book things in advance. Does the honourable senator think that would be feasible?

Senator Hubley: I thank the honourable senator for another excellent question. I am encouraged, as I know Senator Callbeck is, with the interest we are showing in this inquiry.

Of course, that is another fine suggestion. Again, as predictable as childbirth is, it is not an exact science, as we know. Booking ahead of time would certainly be helpful. That means there would not be that difficult two-week waiting period, so that might be one of the suggestions that we will leave on the table, and hopefully it will be listened to and brought forward to benefit our young moms.

Hon. Catherine S. Callbeck: If no one else wants to add to this inquiry, I would like to speak on it again and end the debate.

The Hon. the Speaker: Might I interrupt the proceedings to advise the house that should the Honourable Senator Callbeck speak, it will have the effect of closing the debate.

[Translation]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I am certain that senators on our side would like to speak about this issue. I move the adjournment of the debate in my name in order to ensure that all the senators on our side have the opportunity to speak on this subject.

(On motion of Senator Carignan, debate adjourned.)

[English]

VOLUNTEERISM IN CANADA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Mercer calling the attention of the Senate to Canada's current level of volunteerism, the impact it has on society, and the future of volunteerism in Canada.

Hon. Catherine S. Callbeck: Honourable senators, I notice this inquiry is at Day 15 and it is something to which I would really like to speak. However, I am not prepared today, so I would like to adjourn the debate for the remainder of my time.

(On motion of Senator Callbeck, debate adjourned.)

POVERTY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Robichaud, P.C., calling the attention of the Senate to the issue of poverty in Canada — an issue that is always current and continues to have devastating effects.

Hon. Catherine S. Callbeck: Honourable senators, I rise today to make a few comments on this inquiry into the state of poverty in Canada. I want to applaud Senator Robichaud for bringing forth this initiative and as well I want to thank the senators who have already spoken on the inquiry. I am hopeful that more will participate, as I think this is an issue that more than ever deserves our attention and our action.

Poverty has no boundaries. It exists in both rural and urban Canada, in every province and territory. It affects men, women and children of all cultures and ages. I am sure that every one of us in this chamber is deeply concerned with the level of poverty in Canada. Today, statistics tell us that one in ten Canadian children still live in poverty, and that figure is one in four for First Nations communities. We rank number 22 out of 31 in the OECD in terms of child poverty. Those are extremely disturbing statistics for a country as rich as ours.

We have been talking about poverty for a long time. As far back as 1976, the government of the day recognized the right of every Canadian to an adequate standard of living, including food, clothing and housing, and to the continuous improvement of living conditions by signing the International Covenant on Economy, Society and Cultural Rights.

Since then, many reports have been written about poverty. Let me comment on two Senate reports. The first is a report that was released in 2008 by the Standing Senate Committee on Agriculture and Forestry. The report was extremely troubling. We heard that many of Canada's 6 million rural inhabitants faced poverty from years of primary resource sector funding. Since 2003, more than 46,000 jobs in the forestry sector alone have simply vanished.

In assessing rural poverty, the committee heard about a lack of effective public transportation, a lack of spending on infrastructure, difficulties accessing health-care-affected older people, people with disabilities, children and other vulnerable members of society. The committee heard about substandard housing and the invisible homeless in rural Canada.

The Social Affairs Committee's Subcommittee on Cities' report in 2009 shed light on poverty in Canada's urban areas. Their conclusions were troubling as well. The report told us that too many Canadians in cities live below the poverty line. It also told us that people struggle to find and maintain affordable housing and that the number of Canadians who are homeless is increasing.

I am sure that the issues identified by those two recent Senate reports are even worse today because of the economic turbulence we have experienced in the world since 2008. We know that

economic turbulence affects the ability of non-government organizations, churches and other governments to provide services to those living in poverty, especially when government cuts affect funding. After all, half of the revenue for not-for-profit organizations in Canada originates from government sources.

Food banks were introduced as a temporary measure in 1981. They have become a permanent fixture in the country. Food banks support over 850,000 Canadians monthly. Food Banks Canada reported in November 2011 that usage was up 26 per cent from 2008 levels. That is an extraordinary increase: 26 per cent in three years.

A CTV News report that aired last Sunday and again on Monday noted that food bank visits in the Greater Toronto Area are up 18 per cent over last year, with those food banks serving 1.1 million people annually. In Vancouver, the numbers are up by 10 per cent. These are startling statistics.

In my own province, one of the food banks — the Upper Room Food Bank in Charlottetown — has been reporting a substantial increase in demand during the winter and throughout this past summer. Representatives from this food bank are concerned about the viability of food drives this year and about the increasing prices for food.

Indicators such as the increase in the use of food banks, as well as the increase in social assistance, Employment Insurance and consumer insolvencies over 2010 and 2011 suggest that too many Islanders are struggling more and more. I expect the same signs exist across the country in the other provinces.

The two Senate reports I mentioned both contain many recommendations for tackling the issue of poverty in this country. They both recommend that the federal government work with the provinces and territories to tackle this problem that seems to be increasing every day.

It is shameful that Canada ranks 22 out of 31 in the OECD in terms of child poverty. We need the political will to get on with reducing poverty. I encourage the federal government, the provinces and the territories to collaborate on a national poverty reduction plan, one that addresses the unique challenges of both rural and urban poverty.

(On motion of Senator Nolin, debate adjourned.)

• (1600)

[Translation]

LITERACY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck, calling the attention of the Senate to the importance of literacy, given that more than ever Canada requires increased knowledge and skills in order to maintain its global competitiveness and to increase its ability to respond to changing labour markets.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, my research is nearly complete and I anticipate being able to speak about this in the coming weeks. In order to finish my research, I am once again asking that the debate be adjourned in my name.

(On motion of Senator Tardif, debate adjourned.)

(The Senate adjourned until Wednesday, September 26, 2012, at $1:30\ p.m.$)

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

THE SPEAKER

The Honourable Noël A. Kinsella

THE LEADER OF THE GOVERNMENT

The Honourable Marjory LeBreton, P.C.

THE LEADER OF THE OPPOSITION

The Honourable James S. Cowan

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LAW CLERK AND PARLIAMENTARY COUNSEL

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(In order of precedence)

(September 25, 2012)

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> The Hon. Diane Finley The Hon. John Baird The Hon. Tony Clement

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Leader of the Government in the Senate

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Minister of Public Works and Government Services

Minister of State (Status of Women)

Minister of Human Resources and Skills Development

Minister of Foreign Affairs President of the Treasury Board

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Minister of Finance

Leader of the Government in the House of Commons Minister of Citizenship, Immigration and Multiculturalism

Minister of Agriculture and Agri-Food Minister for the Canadian Wheat Board

Minister of Industry and Minister of State (Agriculture) Minister of Canadian Heritage and Official Languages Minister of Transport, Infrastructure and Communities Minister of the Economic Development Agency of Canada

for the Regions of Quebec

Minister of Health

Minister of the Canadian Northern Economic Development

Agency

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Minister of Labour

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CONTENTS

Tuesday, September 25, 2012

PAGE	PAGE
Business of the Senate Hon. Claude Carignan	Official Languages Notice of Motion to Authorize Committee to Extend Date of Final Report on Study of Application of Official Languages Act and Relevant Regulations, Directives and Reports.
New Senators The Hon. the Speaker	Hon. Maria Chaput
The Hon. the Speaker	QUESTION PERIOD
SENATORS' STATEMENTS	The Senate Reference of Bill C-7 to Supreme Court of Canada. Hon. James S. Cowan. 2484 Hon. Marjory LeBreton 2484
The Late Honourable Peter Lougheed, P.C., C.C. Hon. Betty Unger	Information Commissioner Access to Information. Hon. Robert W. Peterson
Louis Riel House Hon. Maria Chaput	Hon. Marjory LeBreton
Grain Marketing Freedom Day Hon. Donald Neil Plett. 2482	Fees for Businesses Located Near National Parks. Hon. Catherine S. Callbeck
Foster Parents Diamond Jubilee Medal Recipients in P.E.I Hon. Catherine S. Callbeck	Franco-Ontarian Day Hon. Claudette Tardif
ROUTINE PROCEEDINGS	Privy Council Office Commitment to Bilingualism. Hon. Claudette Tardif . 2486 Hon. Marjory LeBreton . 2486
	Answers to Order Paper Questions Tabled Finance—Canada Pension Plan Total Net Assets.
Information Commissioner 2011-12 Annual Report Tabled	Hon. Claude Carignan
The Senate Rules of the Senate of Canada—September 2012 Version Tabled 2483	Hon. Claude Carignan
Public Safety	Hon. Claude Carignan
Canadian Security Intelligence Service— 2010-11 Public Report Tabled. Hon. Claude Carignan	National Defence—Expenditures on Reservists. Hon. Claude Carignan
Study on the Progress in Implementing the 2004 10-Year Plan to Strengthen Health Care	Information Exchange Agreement. Hon. Claude Carignan
Seventh Report of Social Affairs, Science and Technology Committee—Government Response Tabled. Hon. Claude Carignan	Disclosure Program. Hon. Claude Carignan
Library of Parliament Document Tabled.	Hon. Claude Carignan
Hon. Terry M. Mercer	Hon. Claude Carignan
Official Languages Notice of Motion to Authorize Committee to Extend Date of Final Report on Study of CBC/Radio-Canada's Obligations under the Official Languages Act and the Broadcasting Act.	Hon. Claude Carignan
Hon. Maria Chaput	Hon. Claude Carignan
Fisheries and Oceans Notice of Motion to Authorize Committee to Extend Date of Final Report on Study of Issues Relating to Federal Government's	Human Resources and Skills Development Job Bank—Canada Summer Job Centres. Questions by Senator Callbeck and Senator Hubley. Hon. Claude Carignan (Delayed Answer)
Current and Evolving Policy Framework for Managing Fisheries and Oceans. Hon. Fabian Manning	Service Canada—Service Levels Questions by Senator Ringuette and Senator Chaput. Hon. Claude Carignan (Delayed Answer)

PAGE	PAGE
Natural Resources Shale Gas Production Question by Senator De Bané. Hon. Claude Carignan (Delayed Answer)	Science and Technology Arctic Research Question by Senator Tardif. Hon. Claude Carignan (Delayed Answer)
Public Safety Police Officers Recruitment Fund Question by Senator Cowan. Hon. Claude Carignan (Delayed Answer). 2491	Human Resources and Skills Development Employment Insurance—Women Living in Poverty Question by Senator Eggleton. Hon. Claude Carignan (Delayed Answer)
National Defence Impact of Budget Cutbacks Question by Senator Dallaire. Hon. Claude Carignan (Delayed Answer)	Public Safety Canada Border Services Agency Question by Senator Moore. Hon. Claude Carignan (Delayed Answer)
Hon. Claude Carignan (Delayed Answer)	ORDERS OF THE DAY
Canadian Food Inspection Agency—Container Regulations— Stakeholder Consultations Question by Senator Hubley. Hon. Claude Carignan (Delayed Answer)	Point of Order Hon. Fernand Robichaud 2497 Hon. Claude Carignan 2497
Foreign Affairs Afghanistan—Women's Rights Question by Senator Jaffer. Hon. Claude Carignan (Delayed Answer)	Hon. Pierre Claude Nolin 2497 Hon. James S. Cowan 2498 Hon. Anne C. Cools 2498
Human Resources and Skills Development Employment Insurance—Boards of Appeal Question by Senator Cordy. Hon. Claude Carignan (Delayed Answer). 2494	Employment Insurance Inquiry—Debate Continued. 2499 Hon. Elizabeth Hubley 2499 Hon. Jane Cordy 2499 Hon. Joan Fraser 2500 Hon. Catherine S. Callbeck 2500
Public Safety Canada Border Services Agency—Airport Surveillance Question by Senator Campbell. Hon. Claude Carignan (Delayed Answer)	Hon. Claude Carignan
Fisheries and Oceans Exploitation of International Waters Ouestion by Senator De Bané.	Hon. Catherine S. Callbeck
Hon. Claude Carignan (Delayed Answer)	Inquiry—Debate Continued. Hon. Catherine S. Callbeck
Labour Canada Labour Code Question by Senator Rivest. Hon. Claude Carignan (Delayed Answer)	Literacy Inquiry—Debate Continued. Hon. Claudette Tardif
110 Claude Carigian (Domyou / Intonot)	Hon. Claudette Turun



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