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OFFICIAL REPORT
(HANSARD)

Thursday, June 13, 2013

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, June 13, 2013

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, pursuant to Standing Order 36 (8) I have the honour to table, in both official languages, the government's response to nine petitions.

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COMMITTEES OF THE HOUSE

INTERNATIONAL TRADE

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, pursuant to Standing Order 109, I have the honour to table, in both official languages, copies of the government's response to the report of the Standing Committee on International Trade entitled "Report on an Economic Partnership Agreement Between Canada and Japan".

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INTERPARLIAMENTARY DELEGATIONS

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the following report on the Canadian Delegation to the Organization for Security and Co-operation in Europe Parliamentary Assembly respecting its participation at the 12th winter meeting held in Vienna, Austria, February 21-22, 2013.

[*Translation*]

Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the reports of the Canadian delegation of the Assemblée parlementaire de la Francophonie (APF) respecting its participation at the meeting of the Political Committee of the APF, held in Rabat, Morocco, on

April 10 and 11, 2013; and its participation at the meeting of the Executive Committee and at the first intersessional meeting of the Network of Women Parliamentarians of the APF, held in Dakar, Senegal, on April 25 and 26, 2013.

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[*English*]

COMMITTEES OF THE HOUSE

GOVERNMENT OPERATIONS AND ESTIMATES

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I have the honour to present, in both official languages, the 12th report of the Standing Committee on Government Operations and Estimates in relation to our study of energy efficiency in government buildings, structures and public works. On behalf of the co-chairs of my committee and the committee members, we would like to recognize and pay tribute to the outstanding contribution and extraordinary support we received from our Library of Parliament research analysts, Lindsay McGlashan and Raphaëlle Deraspe, and the very competent and capable stewardship of our clerk, Marc-Olivier Girard. Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I have the honour of tabling the supplementary report submitted by the New Democratic Party to the June 2013 report of the Standing Committee on Government Operations and Estimates on energy efficiency in buildings. Our report is entitled "Empowering Energy Efficiency". Our objective in calling for this study by the committee was to showcase the potential for substantial savings to the public purse through strategic and dedicated up-front funding. We support the report, but we are making a number of additional recommendations, including legally prescribed targets, public reporting on energy savings and dedicated budget allocations for energy efficiency.

HUMAN RESOURCES, SKILLS AND SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, I have the honour to table, in both official languages, the 12th report of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities entitled "Exploring Employment Opportunities for Persons with Disabilities". Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

Routine Proceedings

JUSTICE AND HUMAN RIGHTS

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 25th report of the Standing Committee on Justice and Human Rights in relation to Bill C-54, An Act to amend the Criminal Code and the National Defence Act (mental disorder).

[Translation]

The committee has studied the bill and has decided to report the bill back to the House with amendments

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NAVIGABLE WATERS PROTECTION ACT

Ms. Christine Moore (Abitibi—Témiscamingue, NDP) moved for leave to introduce Bill C-534, An Act to amend the Navigable Waters Protection Act (Abitibi and Témiscamingue regions).

She said: Mr. Speaker, I am pleased to introduce my navigable waters protection bill, which is seconded by my colleague from Abitibi—Baie-James—Nunavik—Eeyou. We represent neighbouring ridings, so he clearly has had the opportunity to visit my riding a number of times, and he knows the lakes and rivers in my riding well.

I would like to point out that there are more than 20,000 lakes and rivers in my region. It is impossible to count them all. We do not know the exact number, but we know that there are more than 20,000. I am asking that fewer than 50 of these lakes and rivers be added to the Navigable Waters Protection Act because they were mistakenly overlooked in the bad budget bill introduced by the Conservatives.

I would like to stress that the number of lakes and rivers I am asking to have added represents less than 0.25% of the lakes and rivers in my riding. I believe it is a very reasonable request. I would also like to state that these lakes and rivers have been navigated by aboriginal communities and truly are navigable waters. Many aboriginal people in various communities in my riding can speak to the past and future of these lakes.

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

* * *

●(1010)

NAVIGABLE WATERS PROTECTION ACT

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP) moved for leave to introduce Bill C-535, An Act to amend the Navigable Waters Protection Act (Vallée-de-l'Or, Anishinabe Aki and Eeyou Istchee regions).

He said: Mr. Speaker, I am very pleased to speak today to introduce Bill C-535, An Act to amend the Navigable Waters Protection Act (Vallée-de-l'Or, Anishinabe Aki and Eeyou Istchee regions). I want to thank my colleague from Abitibi—Témiscamingue for seconding the bill.

As everyone knows, in northern Quebec we are quite attached to our lakes and rivers. We know that we cannot take them for granted. They are an integral part of our lives: our work, our play, our economy, our social well-being, our history and our common future.

In the previous budget bills, the Conservatives took away the protection of these important sources of water and life. With this bill, I am proposing a way to start repairing the damage. I am calling on my colleagues from all parties to support this bill and to help us, as members of the official opposition, right the wrongs this government has done to us.

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

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[English]

NAVIGABLE WATERS PROTECTION ACT

Mr. Claude Gravelle (Nickel Belt, NDP) moved for leave to introduce Bill C-536, an act to amend the Navigable Waters Protection Act (Trout Lake).

He said: Mr. Speaker, it certainly is a pleasure for me to introduce this private members' bill today, which would amend the Navigable Waters Protection Act in order to protect Trout Lake in the beautiful community of North Bay, the gateway to northern Ontario.

I want to thank my colleague from Timmins—James Bay for seconding this motion.

There are some reasons I want to protect this lake. First, Samuel de Champlain, the famous explorer, paddled Trout Lake 400 years ago. It is historic. Also, the pristine waters are another source of the drinking water for the residents of North Bay. A natural gas pipeline that borders both sides of Trout Lake is being considered for a switch to bitumen, and that worries the people of North Bay.

Another reason I want to present this private member's bill is that, unfortunately, when the Conservatives changed the Navigable Waters Protection Act, they did not include North Bay and Trout Lake. As we know, Trout Lake, as I said a while ago, is the drinking-water source for the community of North Bay. I do not know where the MP for Nipissing—Timiskaming was when this decision was taken. However, I want to assure the people of North Bay that even though their MP, my good friend sitting over there, was not looking after their best interests, they do not have to worry, because the NDP will look after their interests.

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

* * *

PETITIONS

CANADIAN BROADCASTING CORPORATION

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I actually have four petitions to present, all on the same topic, so let me just read it once.

The undersigned Canadians, the members of the Roman Catholic faith, feel that we have been negatively targeted, disproportionately misrepresented and have had one of our most sacred sacraments maliciously ridiculed by the CBC and/or its programming.

Recently, we were appalled by the CBC program *This Hour Has 22 Minutes* on which our most sacred sacrament, the Holy Communion, was the object of an offensive and disrespectful attack, an attack to the very core of our faith, the Holy Eucharist.

Routine Proceedings

ASBESTOS

We draw to the attention of the House of Commons and the minister of the Crown that as taxpayers, as well as members of the Roman Catholic faith following the principles of Canadian values, we believe that we should not be forced to finance a crown corporation such as the CBC that acts in a discriminatory manner and disrespects our religion, or any religion.

Therefore, we ask the House of Commons to stop—

• (1015)

The Speaker: Order, please. I will just stop the hon. member there. He may know that he is not supposed to read the petition, just present it in a very succinct manner. We have many members rising, so I encourage members to be judicious with their time.

Mr. Mike Wallace: Mr. Speaker, I have four of them.

The Speaker: Oh, he has four of them.

Mr. Mike Wallace: Mr. Speaker, I thought I was being brief.

GASOLINE PRICING

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I am rising to present three petitions, and I will be brief on each.

The first petition is signed by hundreds of constituents of my great city of Sudbury. The petitioners wish to protect consumers from gas-price gouging. They would like the Minister of Industry to act on this petition. They are calling for justice for one of my constituents, Paul Temelini, who has been fighting a case for 30 years.

PRISON CHAPLAIN PROGRAM

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, the other petition is asking the government to reverse cuts to the prison chaplain program.

IMPAIRED DRIVING

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, it is a pleasure to rise on behalf of the constituents of Chilliwack—Fraser Canyon to present three petitions.

The first petition calls for increased penalties for impaired driving.

CLUSTER MUNITIONS

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, the second petition is regarding cluster munitions.

SEX SELECTION

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, I also have hundreds of signatories to a petition calling on this House to condemn discrimination against females occurring through sex-selective pregnancy termination.

KETTLE ISLAND

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I have the privilege of presenting a petition signed by citizens of Manor Park, which is in the riding I have the privilege of representing in this House.

The petition calls on the House of Commons to encourage the government not to fund the proposed interprovincial crossing at Kettle Island.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I have a petition signed by literally tens of thousands of Canadians who call upon the House of Commons and Parliament to recognize that asbestos is the greatest industrial killer the world has ever known. In fact, they point out that more Canadians now die from asbestos than all other industrial or occupational causes combined.

Therefore, these petitioners are calling upon the Government of Canada to ban asbestos in all its forms; to begin a nationwide abatement program for homeowners and property owners who may have asbestos in their properties; and to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam Convention.

SEX SELECTION

Hon. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, I have three petitions from my riding of Yellowhead. They are all the same, so I will just describe one.

They are about the termination of sex-selected individuals who are females and say that pregnancy termination is abhorred by obstetricians and gynecologists across Canada as well as the majority of the people of Canada, 92% or more. The petitioners are calling on the House to act on this issue.

[*Translation*]

LABOUR-SPONSORED FUNDS

Mr. José Nunez-Melo (Laval, NDP): Mr. Speaker, I have the honour and privilege of presenting a petition signed by a number of my constituents, who are calling on the Conservative government to reverse its decision to abolish the 15% tax credit for savings invested in labour-sponsored funds.

[*English*]

CHIEF FIREARMS OFFICERS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, the petitioners ask that the chief firearms officers appointed federally, territorially and provincially be replaced with a civilian agency, which would be service oriented, to prevent the introduction of draconian and impractical regulations.

SHARK FINNING

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I rise to present two petitions from thousands of Canadians.

The first petition calls on the government to ban shark fin imports. The petitioners say that measures must be taken to stop the global practice of shark finning and to ensure the responsible conservation and management of sharks. The petitioners call on the Government of Canada to immediately legislate a ban on the importation of shark fins.

Routine Proceedings

● (1020)

SEARCH AND RESCUE

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, the second petition calls on the government to save the Kitsilano Coast Guard station. The petitioners say that the recent decision by the federal government to close the station is a grave mistake that will undoubtedly cost the lives of those in peril on the shores and waters near Vancouver Harbour.

The petitioners call on the Government of Canada to rescind the decision and to reinstate full funding to maintain the Kitsilano Coast Guard station.

[Translation]

INTERNATIONAL DEVELOPMENT

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I am pleased to present a petition signed by many of my constituents.

The petition concerns the amalgamation of the Canadian International Development Agency with the Department of Foreign Affairs and International Trade. The petitioners are concerned about the amalgamation, particularly the possible realignment of international development assistance programs. They are calling on the government to uphold international aid principles. Also, to ensure the integrity of assistance programs, they want the minister to be given the same status as the Minister of Foreign Affairs and International Trade.

[English]

SEX SELECTION

Hon. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, it is an honour to rise on behalf of my constituents in the beautiful riding of Kelowna—Lake Country. I have two petitions.

The first calls upon Parliament to condemn discrimination against girls through sex selection.

The second is from another part of the beautiful province of British Columbia. Folks in Kamloops are supporting Motion No. 408 condemning sex selection.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, the following questions will be answered today: Nos. 1333, 1334, 1341 and 1342.

[Text]

Question No. 1333—**Mr. Jack Harris:**

With regard to page 40 of the 2013-2014 Report on Plans and Priorities, which states, "the minister of national defence has provided direction for the targeted divestment of certain infrastructure holdings": (a) which infrastructure holdings has the Minister of National Defence provided for targeted divestment; (b) on what basis has the Minister decided to divest certain infrastructure holdings; (c) what are the associated costs of these targeted divestments; (d) what are the expected savings of these targeted divestments; (e) how are the expected costs and savings of these targeted divestments calculated; (f) what are the impacts on the Canadian Forces of these targeted divestments; and (g) what are the impacts on the local communities of these targeted divestments?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, with regard to (a), the following buildings were

selected for targeted divestment: Area Support Unit Chilliwack, British Columbia, building B1041; Area Support Unit Calgary, Alberta, Northeast Armoury; Area Support Unit London, Ontario, buildings B53, B55, B56, B57, B91, B92, B130, O Block and P Block; Area Support Unit Northern Ontario, North Bay, Ontario, building B45 and Timmins Garage; Area Support Group Detachment Moncton, New Brunswick, buildings B1, B2, B35, B41, B42, B60, B60A, B66 and B70, and 70 residential housing units.

With regard to (b), this divestment is linked to the transfer of functions from the area support units in Chilliwack, Calgary, London and northern Ontario and Area Support Group Detachment Moncton to major bases. This will allow the Canadian Army to reduce administrative overhead. This will also increase overall efficiency and allow investment in key priorities, such as training and equipment.

With regard to (c), the preliminary estimated disposal costs are provided below. These costs include demolitions, renovations, environmental assessments and appraisals, as well as any activities required to address the findings of these assessments and appraisals, such as the removal of contaminants. These estimates are subject to service cost fluctuations.

In the case of Area Support Unit Chilliwack in British Columbia, the potential transfer of building B1041 to the Royal Canadian Mounted Police is under consideration. This transfer is estimated to cost approximately \$300,000.

In the case of Area Support Unit Calgary in Alberta, the Mewata Armouries and Currie Barracks will be renovated to accommodate units. These renovations are expected to cost approximately \$500,000. The disposal of the facility is expected to cost approximately \$500,000. In addition, moving these units is expected to cost approximately \$161,000.

In the case of Area Support Unit London in Ontario and Area Support Unit Northern Ontario in North Bay, Ontario, the targeted divestments of Area Support Unit London and Area Support Unit Northern Ontario are expected to have a combined cost of approximately \$3.12 million.

In the case of Area Support Group Detachment Moncton in New Brunswick, the targeted divestment of these buildings and residential housing units is expected to cost approximately \$9.6 million.

With regard to (d), the expected savings of these targeted divestments are as follows:

In the case of Area Support Unit Chilliwack in British Columbia, the divestment of building B1041 is expected to generate savings of approximately \$62,000 annually.

In the case of Area Support Unit Calgary in Alberta, the targeted divestment of the Northeast Armoury is expected to generate savings of approximately \$631,000 annually. The sale of the building is also expected to generate revenue. The building does not currently have an estimated value, as an appraisal of its value has not been conducted yet.

Routine Proceedings

In the case of Area Support Unit London in Ontario and Area Support Unit Northern Ontario in North Bay, Ontario, the targeted divestments of Area Support Unit London and Area Support Unit Northern Ontario are expected to generate savings of approximately \$500,000 annually.

In the case of Area Support Group Detachment Moncton in New Brunswick, the targeted divestment of these buildings and residential housing units is expected to generate approximately \$1.16 million annually.

With regard to (e), the expected savings are calculated by using payment in lieu of taxes, utilities costs and operations and maintenance costs, and facilities maintenance costs. The expected costs are calculated by using management fees until disposal, as well as payments to other government departments.

With regard to (f), as a result of targeted divestments, lines of communication between the remaining supported dependencies and their new support bases will be longer. However, the savings generated by reducing infrastructure holdings will be used to support operational readiness or other areas of higher priority.

With regard to (g), the Department of National Defence and the Canadian Armed Forces are not in a position to determine the impact of these targeted divestments on local communities.

Question No. 1334—Mr. Jack Harris:

With regard to the target for the performance indicator “the total average reserve force paid strength by FY (determined by Director Reserves) compared to the target planned strength as published in annual RPP as %”, as cited on page 33 of the 2013-2014 Report on Plans and Priorities: (a) why is the government’s target “to be determined”; (b) how does the government calculate this target; (c) what information is the government missing in order to calculate this target; (d) what government decisions have not been made in calculating this target; and (e) what has changed since the last target so that the government is not capable of having a target until spring 2014?

Hon. Peter MacKay (Minister of National Defence, CPC):

Mr. Speaker, with regard to (a), the government target should read 100% of the target planned reserve strength of 27,000. This information was omitted in error and is intended to reconcile with the information found in the human resources full-time equivalent table on page 22 of the report on plans and priorities for fiscal year 2013-14.

With regard to (b), the target is a result of government direction in budget 2012 to maintain reserve strength at 27,000. The response to (c), (d) and (e) is provided in the answer to (a).

Question No. 1341—Mr. Glenn Thibeault:

With regard to the importation of music devices, broken down by fiscal year since 2006-2007: (a) what is the total value of music devices imported into Canada under tariff codes (i) 8519.81.29, (ii) 8521.90.90, (iii) 8521.13.90, (iv) 9948.00.00; and (b) how much was paid in tariffs for the importation into Canada of music devices under tariff code (i) 8519.81.29, (ii) 8521.90.90, (iii) 8521.13.90, (iv) 9948.00.00?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, the tariff items listed in (a)(i), (a)(ii) and (a)(iv) and (b)(i), (b)(ii) and (b)(iv) are broad tariff categories that encompass several different types of products. These categories do not distinguish music players from the other goods covered, and it is impossible to distinguish the total value of imported music devices from other products in the category with data that can be made

public. However, music devices, irrespective of their origin, are eligible for duty-free treatment under the long-standing tariff exemption 9948.00.00.

The tariff item listed in (a)(iii) and (b)(iii) is not a valid tariff item in the Customs Tariff—i.e., this item number does not exist.

Question No. 1342—Mr. Glenn Thibeault:

With regard to the changes to the Customs Tariffs on page 433 of Budget 2013 and the removal of the General Preferential Tariff regime on pages 134-5 of Budget 2013: (a) what monitoring will be carried out in relation to changes in (i) consumer prices, (ii) the total GST collected by the government, (iii) the total revenue collected by the government; and (b) what are the benchmarks that these changes need to meet in order to be considered successful?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, economic action plan 2013 announced the elimination of tariffs on babies’ clothing and certain sports and athletic equipment, providing \$79 million annually in tariff relief. This measure comes with the expectation that wholesalers, distributors and retailers will fully pass these tariff savings on to Canadian consumers in the form of lower retail prices on the products covered by the measure. The government will be monitoring the impact of tariff reductions on the retail prices for these items over the coming months and is working with the Retail Council of Canada, consumer groups and other independent sources.

This initiative will allow the government to assess whether tariff elimination can help narrow the price gap for consumers.

With respect to the general preferential tariff, the changes announced in economic action plan 2013 will be effective January 1, 2015. The modernized GPT will continue to promote economic growth and export diversification in the countries most in need of this type of assistance by providing tariff-based incentives for Canadian importers to source their goods from the remaining 103 eligible countries. GPT changes announced in economic action plan 2013 will accomplish the goal of better aligning the program to the current global economic reality.

The government’s monitoring of revenue is ongoing and will continue.

* * *

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, if Questions Nos. 1335, 1339 and 1346 could be made orders for return, these returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

Privilege

[Text]

Question No. 1335—**Mr. Sean Casey:**

With regard to the presence of foreign governments in Canada, specifically the operation or presence of any security, intelligence or law enforcement agencies: (a) what are the names of all law agencies operating with the permission and consent of the government within the sovereign territory of Canada, broken down by country; (b) is the government aware of any law enforcement agency present or operating without the consent and permission of the government; (c) what are the police powers of foreign law enforcement within Canada; (d) does the government allow any foreign law enforcement agency the power to act alone without the presence of a designated Canadian police or peace officer present; (e) does the government grant power on a case-by-case basis to an agent of foreign law enforcement to stop any resident of Canada for questioning; (f) does the government allow agents of foreign law enforcement the power to present identification or a badge within Canada for the purpose of investigating within Canada; (g) does the government currently allow agents of foreign law enforcement agency the power to cross a Canadian border either by air, sea or land in possession of a weapon; (h) does the government intend to allow agents of a foreign law enforcement agency the power to enter, leave and operate in Canada with the power to enforce Canadian law, including the power to detain, questions and arrest a citizen or permanent resident of Canada; (i) does the government intend to extend the power to agents of a foreign government law enforcement agency the right of pre-emptive arrest or pre-emptive detention without warrant, as provided in Bill S-7; (j) does the government currently have a cap on the number of agents from a foreign law enforcement agency assigned to Canada and, if so, what is the maximum number of agents allowed; and (k) does the government allow agents of a foreign law enforcement agency the authority to operate their own police vehicles, including police boats, airplanes, or any motor vehicle, within Canada, including the use of sirens or other identifiable police markings?

(Return tabled)

Question No. 1339—**Mr. Matthew Kellway:**

With regard to military procurement projects, since 2001: (a) how many projects have been sole-sourced as opposed to following a competitive process; (b) which of these have been sole-sourced; (c) what was the rationale for each project being sole-sourced; (d) what is the Industrial and Regional Benefits (IRB) value for each sole-sourced procurement project; (e) does the IRB value for each sole-sourced project represent 100% of the project value (acquisition and in-service support); (f) what percentage of military procurement projects have been sole-sourced since 2001; (g) how many procurement projects have been sole-sourced each year between 2001 and the present year; and (h) which specific projects in each year have been sole-sourced between 2001 and the present?

(Return tabled)

Question No. 1346—**Mr. Kevin Lamoureux:**

With regard to the Canadian Armed Forces, what was the breakdown of strength by rank for each Regular Force Unit of the Royal 22nd Regiment as of (i) January 1, 1995, (ii) January 1, 2000, (iii) January 1, 2005, (iv) January 1, 2010?

(Return tabled)

[English]

Mr. Bob Dechert: Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[Translation]

REQUEST FOR EMERGENCY DEBATE

COMMUNICATIONS SECURITY ESTABLISHMENT CANADA

The Speaker: The Chair has notice of a request for an emergency debate from the hon. member for Terrebonne—Blainville.

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, following the letter that was sent to your office dated yesterday and pursuant to Standing Order 52, I am requesting that an emergency debate on the Communications Security Establishment Canada's metadata collection program be held as soon as possible.

An emergency debate is needed so that parliamentarians can take an in-depth look at the extent to which Canadians' personal information, metadata and other information are collected by the police, law enforcement agencies and national security agencies. This debate is also needed so that we can look at measures that will lead to appropriate parliamentary oversight and ways to balance public and national security interests with Canadians' privacy rights.

On Monday, it was announced that the Communications Security Establishment Canada was potentially collecting metadata on Canadians. Since then, Canadians have been very concerned. They want to ensure that a parliamentary oversight system is in place.

We know that, right now, just one judge, with the help of a small team, is responsible for examining this office's operations. He has testified in committee only three times since he has been in office. I think it is our duty to reassure Canadians by holding a debate here.

I can also say that, since that announcement was made, there have been online campaigns and petitions signed by tens of thousands of Canadians. They are very concerned about this news and about the possibility that their privacy is being violated. Canadians are not alone in this campaign. They have been joined by Amnesty International, Alternative Québec, the Canadian Civil Liberties Association, the Council of Canadians and 10 other civil society groups. OpenMedia is also playing an important role in this situation. Thank you for taking the time to carefully consider my request.

I hope that we can work together as parliamentarians to respond to Canadians' questions in this regard.

The Speaker: I thank the hon. member for Terrebonne—Blainville for raising this issue. Although it may be very important to some members, I am not convinced that it merits an emergency debate.

* * *

●(1025)

[English]

PRIVILEGE

ELECTIONS CANADA

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, I rise today on a question of privilege.

This is the first opportunity I have had to do so since the member for Avalon asked a question yesterday, where he stated:

It has been one year since the member for Peterborough dared to show up to an ethics committee because of his unethical and illegal returns....

Over the past several months, there have been charges made against my character, which have served to impact on my functions as a member of this place, charges that I entirely reject.

I had hoped that the most recent report of the Chief Electoral Officer would set these allegations aside, exonerating me of any allegations, but it was instead silent on the matter.

On March 22, 1983, Speaker Jeanne Sauvé ruled that there was in fact a *prima facie* question of privilege with respect to allegations brought against the hon. member for Lincoln, Mr. Bryce Mackasey by the *Montreal Gazette*.

In reaching her conclusion, Speaker Sauvé determined that:

Not only do defamatory allegations about Members place the entire institution of Parliament under a cloud, they also prevent Members from performing their duties as long as the matter remains unresolved, since, as one authority states, such allegations bring Members into "hatred, contempt or ridicule". Moreover authorities and precedents agree that even though a Member can "seek remedy in the courts, he cannot function effectively as a Member while the slur upon his reputation remains." Since there is no way of knowing how long litigation would take, the Member must be allowed to re-establish his reputation as speedily as possible by referring the matter to the Standing Committee on Privileges and Elections.

I can attest that since Wednesday, June 6, 2012, I have been subjected to unfounded hatred, contempt and ridicule as the result of a leaked document belonging to Elections Canada. It was on that day that I was first contacted by a Hill reporter seeking comment on the Elections Canada investigation into my 2008 campaign filing.

The reporter in question had in his possession a sealed court document related to an *ex parte* proceeding that was entirely unknown to me, and it contained allegations and statements that I categorically deny.

Despite the fact that this reporter had this complete document, nobody else, not even I or my lawyer, was able to obtain a copy. Indeed, dozens of reporters, including CBC's Laura Payton were having the same problem as I was. This was a leaked document, not obtained through lawful public means. It should have only been in the possession of Elections Canada at that point in time.

The obvious question I had at the time was whether it was true. What was going on? Why did a reporter know about this before I did?

I believe this is a question of importance for all members of this place, given that the functions I perform on behalf of my constituents require that my privilege as a member of this place be upheld. As an agency of Parliament, Elections Canada has specific responsibilities that it must maintain, responsibilities I would argue it has failed to keep.

I would think any reasonable Canadian and, indeed, any member of this place would expect that when allegations are brought against them, they would be given an opportunity to respond to them before any legal proceedings or court options are undertaken. However, this was sadly not the case.

Privilege

Certainly one would think that, with these rumours and accusations that were circulating in the press, I would have heard from Elections Canada but, again, even my calls to it seeking clarification went unreturned. This continued even as more false allegations were being leaked and then ultimately officially released. Indeed, it would not even confirm to me whether or not there was an investigation.

On Wednesday, June 13, my lawyer sent a letter electronically to Elections Canada. In the letter he made it clear I was seeking to have a meeting with Elections Canada to discuss any questions or concerns it might have and to address specific allegations that had been made by a single party with a motive.

Additionally, we requested that, prior to Elections Canada presenting any additional information, we be given notice and an opportunity to be present for my input and the opportunity to answer questions at the same time. Quite simply, I wanted to talk to them and I wanted them to make me aware of any other statements or proceedings before they were made public.

No member of this place should have to learn details about themselves from the press, as I did beginning on June 6. These serve to incapacitate members in their duty and responsibility to the tens of thousands that each of us represents in this place.

Sadly, once again, on the evening of June 14 I was contacted by the same journalist who had obtained the original leaked sealed document and was informed that he was in possession of an Elections Canada return to the Information to Obtain order, and he was once again asking questions related to allegations of which I had no knowledge.

I read in the press that my personal banking records had been sought, and that a document included in our audited return was unexplained by the person who had brought these allegations against me in the first place. These brought new allegations of forged or false documents in the return, allegations based on assertions made by the Elections Canada investigator, which I would later tell him were absolutely preposterous.

•(1030)

Upon learning these details, I was shocked. I felt violated, and it was clear that Elections Canada acted upon the allegations of a single person with malice and contempt toward me and my family. These *ex parte* statements and actions, which is Latin for one side only, were and continue to be hurtful, but I believe they achieved the objective they were seeking, which was to create a media firestorm. How does a member of this place respond when others are in possession of *ex parte* allegations and actions and he or she has no knowledge, none whatsoever, that they have taken place?

Privilege

On Friday, June 15, nine days after I was initially contacted by a member of the press, I was able to obtain a copy of these now public documents. For the first time I had an opportunity to read what was actually being alleged and what actions had been taken against me. What struck me is that, throughout these *ex parte* statements, there was no attempt to provide full and frank disclosure of all of the material facts related to the investigation. Certainly, there are many statements and erroneous conclusions, but where is the legal obligation, as stated by the Supreme Court of Canada, to be transparent and complete and to provide all material facts before the court?

I believe these actions firmly represent a violation of my rights under section 8 of the Charter of Rights and Freedoms. The justice of the peace, prior to making a decision to issue production orders, including for my own personal financial records, had the right to know all of the details the investigator had learned, and the investigator had the legal obligation to provide them, according to the Supreme Court of Canada, but he did not.

I quote Supreme Court precedence. An analysis of the principles on which *Hunter et al. v. Southam Inc.* was based shows that:

The exercise of a judicial discretion in the decision to grant or withhold authorization for a warrant of search was fundamental to the scheme of prior authorization...

—which Dickson prescribed as “an indispensable requirement for compliance with s. 8” in that case.

The decision to grant or withhold the warrant requires the balancing of two interests: that of the individual to be free of intrusions of the state and that of the state to intrude on the privacy of the individual for the purpose of law enforcement. The circumstances on which these conflicting interests must be balanced will vary greatly.... In order to take account of the various factors affecting the balancing of the two interests, the authorizing judge must be empowered to consider all the circumstances.

Additionally, the following propositions have been accepted by the Supreme Court in *R. v. Debot* and *R. v. Greffe*. First, hearsay statements of an informant can provide reasonable and probable grounds to justify a search; however, evidence of a “tip” from an informer, by itself, is insufficient to establish reasonable and probable grounds. Second, the reliability of the tip is to be assessed by recourse to the “totality of the circumstances”. There is no formulaic test as to what this entails. Rather, the court must look to a variety of factors including the degree of detail of the tip; the informer’s source of knowledge; and indicia of the informer’s reliability such as past performance or confirmation from other investigative sources. Third, the result of the search cannot, *ex post facto*, provide evidence of reliability of the information.

In the 2010 case of *R. v. Morelli*, the Supreme Court of Canada stated:

In reviewing the sufficiency of a warrant application...“the test is whether there was reliable evidence that might reasonably be believed on the basis of which the authorization could have been issued”....

In this case, the information to obtain included erroneous statements and omissions that violated the legal obligation to make full and frank disclosure of material facts. I assert that, had full and frank disclosure been provided and had the Elections Canada investigator met his obligation under the law regarding *ex parte* proceedings, then no such court orders would have been granted. To cite precedence, the judge in this matter was clearly not empowered

by the statement of the investigator under oath to consider all of the circumstances or, at the very least, full disclosure about who was making these allegations about me and why.

The presiding justice had the right to know and the investigator had the legal obligation to disclose to him that the allegations were being brought by an individual who had brought legal proceedings against me in civil court and that these proceedings were dismissed. He further should have been told that the very same investigator, who swore the oath that all facts were known to the case before him, had in fact spoken to me in person whereby he assured me that they were simply undertaking a routine review and indicated that, should they have any further questions or concerns, they would contact me.

In fact, I made two things clear to Thomas Ritchie during that November 2011 phone conversation: first, that if he had any questions regarding my 2008 campaign, I would happily meet with him; and, second, that I would provide any documentation that he may wish to review.

Sadly, if one reads the court documents, one can see they fail to indicate that the conversation between them and me took place or that I offered my full co-operation. The failure to disclose these critical details represents a serious violation of the legal obligations on Elections Canada to be full and frank in its disclosure to the courts in seeking a warrant.

● (1035)

Given that the justice was being asked to override the section 8 charter rights of a member of Parliament based on the allegations of one person, it is inconceivable that the presiding justice in this matter would not have asked the investigator quite simply, “What do we know about Frank Hall?” He is the person who has levelled all of these allegations against me.

Had Elections Canada considered this question, it would have found some concerning details, facts that I was able to assemble in a matter of a couple of hours, facts that are in some cases public record, facts that I provided to Elections Canada for its consideration many months ago.

Elections Canada could have and should have researched these facts, and they were required to be included in the full and frank disclosure before the court.

In *ex parte* or one-sided proceedings, the justice places trust in the investigator, in this case the Elections Canada investigator, who has sworn an oath before him that all the facts related to the investigation are before him.

Clearly, Mr. Speaker, when you read the submission, you will note that you cannot find anything that demonstrates that contradictory accounts were in the possession of the investigator. Perhaps even more important, as a result you will not learn that I stand accused by a person who has admitted to falsifying records and reports, has failed to deliver on contracts time and time again, and has been involved in other civil disputes with public officials.

Privilege

I feel violated and betrayed by an agency in which I and every other member of this place, indeed in which all Canadians, must place their trust. As I indicated earlier, I feel strongly that this process has been conducted with malice and contempt for me as a member and for my family's well-being. I cannot describe the pain that this unnecessary and contemptuous process has put those closest to me through, my wife Kelly, my mother, my three brothers in business, all in Peterborough, and their families.

Why, Mr. Speaker? Why? Ultimately I am alleged to have donated too much money to myself and to have used those funds to exceed my campaign spending limit. These are allegations that I outright and completely reject.

Elections Canada has been in possession of evidence that I have provided to it freely since last summer which very clearly demonstrates I did not exceed my personal donation limit, that I did in fact adhere to my election spending limit and that all public declarations related to my campaign are entirely accurate.

Sadly, as opposed to acting on this information and dropping the investigation, select details of that meeting were instead leaked to further provoke the press to attack me. The story which ran on September 19, 2012 states that I “vigorously asserted my innocence”, which is absolutely true and accurate, but the details of the meeting, in fact even that there was a meeting, were only known by Elections Canada. I ask you, Mr. Speaker, how else, other than through a leak directly from Elections Canada, could they have known these details?

Mr. Speaker, I ask you, are the actions that have been undertaken, these extreme actions by Elections Canada that I have outlined, against a member of this place, appropriate? Are leaks to the press how members should expect to learn of allegations or actions brought against them by an agency of this place? Does Elections Canada not have a moral if not an ethical responsibility to at least speak to a member and seek clarification before it goes to court seeking an order to obtain information that would have been freely provided to it? Is Elections Canada not responsible to uphold its responsibility in law as dictated by the Supreme Court of Canada and provide a full and frank disclosure in *ex parte* proceedings concerning members of this place?

Mr. Speaker, in considering this question of privilege, I again refer you to the findings of Speaker Sauvé, who on March 22, 1983 stated:

...it is clear to me that while the Hon. Member could seek a remedy in the courts, he cannot function effectively as a Member while this slur upon his reputation remains. The process of litigation would probably be very lengthy and there is no knowing how long it would take before the issue was finally resolved.

Mr. Speaker, I believe firmly that it is in the interest of each and every member of this place that you find the actions that I have outlined do constitute a *prima facie* question of privilege, at which time I will move that the matter be referred to the Standing committee on Procedure and House Affairs. I want to assure members that I will answer any questions they may have related to my 2008 campaign at that time.

What has happened to me could happen to any member of this place unless we take action today to ensure that it stops.

● (1040)

Unless we take action to ensure that each and every person in this place is afforded the basic respect, process and rights that we all swore to uphold for each and every one of the people we collectively represent in this great country, my fear is that this will once again play out in the not too distant future and another member will find himself or herself a victim in the process I have just described.

We must draw a line in the sand here on a matter that transcends party affiliation and state clearly and collectively that members of this place are entitled to equal, fair and unbiased treatment, treatment without prejudice and in keeping with the laws of this land, and when we clearly do not receive that treatment, that a finding of violation against the privilege of a member is found and declared.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, first off, there is the personal, the political and the parliamentary in this matter. I consider my colleague from Peterborough to be a friend, so I feel some honest compassion for the strain that he and his family have been under. That was obvious in his speech to us here today.

We are going to take a look at all that he said here and we would like to reserve the right to come back on the substance and the merits of the question of privilege.

From my hearing of what the member said, there are two pieces to it. One was on the comments by the member for Avalon yesterday in question period toward the member for Peterborough. The second one, which perhaps is a privilege, is with regard to the treatment my colleague has received from Elections Canada and throughout the court process that he is now engaged in.

Let me address the first one briefly. I did listen to the comments that were made in question period yesterday. While question period sometimes can be quite a heated affair, and I myself perhaps have made numerous mistakes in crossing over certain lines that are sometimes not clearly laid down, I think yesterday my friend from Avalon did cross the line in terms of the personal nature of the attack on the member for Peterborough. We pass that to you, Mr. Speaker. I suspect my colleague from Avalon would want to come back to the House and perhaps retract his statements.

On the second piece, with regard to Elections Canada and a question of privilege, this perhaps will be a more difficult question to answer for you, Mr. Speaker, as often things that occur outside this place and the effects they have on the privilege of members of Parliament can be a difficult thing to ascertain.

I would offer to my friend that my colleague from Timmins—James Bay has posed questions in the House during question period previously. We were just discussing them as my friend was speaking and looking over the text that was used. We try to ask direct questions. For various reasons on that side, the member for Peterborough was unable to answer or prevented from answering questions about this particular case. I can understand there are some tensions that go on within any party. The Prime Minister's Office is obviously involved in something of this important nature.

Government Orders

The context of that is important, that questions have been put and the member has been unable or unwilling to answer. I am not going to pass judgment as to why he has chosen not to answer and other members have answered instead.

The further challenge for my friend, if I honestly reflect on the situation, is there are so many cases right now of, particularly, Conservative members of Parliament dealing with Elections Canada in a difficult way. We had a recent court ruling on the robocall event. It was quite condemning. I have not read a ruling like this before. The judge found that the Conservative Party lawyer had acted in such a way that the judge awarded penalties to the side that lost because of the contact of the solicitor.

The cloud, in general, with the robocalls, the in and out scheme, and the former member for Labrador, Mr. Penashue, creates a certain context in which my friend is arguing from and that has to be recognized. It creates a difficulty in understanding the clarity of his own case. I think context is everything in politics, as my friend knows.

We will reserve the right to come back to the House as soon as we can, once we have looked over what my friend has offered.

I would say that the fairness of our election process, that our electoral system is sustained and that Canadians have confidence in what happens at the polls, has taken a real hit. This is not an aspersion on my friend in this particular case, but in general, it has taken a real hit from some actions of either members or others in his party. Canadians' confidence has been shaken and that is an unfortunate thing. Whatever our political nature or orientation is in this place, the idea that Canadians can go to a ballot box and register their opinion in a free and fair vote obviously is something that is essential to our democracy. The weakening of that has unintended consequences to others across the spectrum.

Canadians cannot lose any more faith in this place. Cynicism is already at an all-time high. In order for us to do better, we all must do better. Therefore, I urge all those involved in the court cases that are going on right now, and right now there are two other Conservative members who are before the courts with Elections Canada, to deal with it, to settle it, to come forward and not do what happened in the robocall case and others, which was to drag it on.

I realize that is out of context for the privilege that we are dealing with, Mr. Speaker. Context is everything.

●(1045)

I will end on a personal note. This obviously has had great impact on my friend from Peterborough and his family. We live a very public life and those who are related to us, married to us, our kids, oftentimes are also impacted by the things that go on in that public life. I am sure all members in the House understand that. I hope that my friend's own case can be resolved quickly and that the courts decide what in fact occurred.

We will return to the House, and I thank the Speaker for that consideration.

The Speaker: I thank both hon. members for their contributions. I will await further submissions before coming back to the House.

GOVERNMENT ORDERS

[English]

TACKLING CONTRABAND TOBACCO ACT

BILL S-16—TIME ALLOCATION MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

That, in relation to Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco), not more than one further sitting day shall be allotted to the consideration at second reading stage of the Bill; and

that, 15 minutes before the expiry of the time provided for Government Orders on the day allotted to the consideration at second reading stage of the said Bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and, in turn, every question necessary for the disposal of the said stage of the Bill shall be put forthwith and successively, without further debate or amendment.

The Speaker: There will now be a 30-minute question period. The hon. member for Skeena—Bulkley Valley.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Here we are again, Mr. Speaker. It is incredible. I am amazed by the fact that the government House leader has to actually read these orders. He has said them so many times that certainly, they must be put to memory by now.

We are just checking with the Table, but we think this is the 48th time the government has invoked time allocation, which is a way of shutting down debate. It does not really matter whether the official opposition agrees with a bill or whether we have negotiated a timely and orderly fashion for the bill to pass through the House, it is irrelevant. The facts do not interfere with the government's ideology when it comes to Parliament and debating legislation.

This is an important piece of legislation. We had a grand total of 15 minutes of debate last night on this one. Fifteen minutes seems to be sufficient time for the government to understand that something so controversial as this issue is enough for the House to make its decision and pass it on to committee.

This is the way that mistakes are made. When legislation is rammed through Parliament, particularly legislation that would seriously impact Canadians and the communities we represent, big mistakes are made. We know that the Conservative government is not open to amendments, but we go through the process and we hear from witnesses.

I have a simple question for the minister. This is the very tail end of the session. If this were some sort of priority, if this were somehow important for the government, certainly it would have moved something a little sooner than this. Certainly if it were important, the government would also think that the debate on making it better was also important. Why the rush? Why push the panic button? Why is the government shutting down debate for the 48th time over something as critical as this?

Government Orders

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, in answer to the last part of the member's question about why we are doing this now for this legislation, the House knows we have a very extensive justice agenda, and all of these bills are very important. People might ask why we addressed elder abuse, or why we cracked down on the sexual exploitation of children. They might ask why we are doing these things. All of these things are very important.

Certainly this bill is important. This bill would crack down on contraband tobacco.

That being said, the hon. member made comments about the debate. My understanding is that there were discussions with members. The bill is straightforward. It would get the job done. It is focused on what it is we are supposed to do. A couple of members of the Liberal Party and a couple of members of the Conservative Party were to talk to the bill. The NDP was offered 10 spots but apparently that was not satisfactory. When I was asked if I was surprised that 10 speakers for the NDP were not enough, I said that when it comes to justice legislation for those members 100 or 1,000 speeches would not be enough.

I am pleased that we are moving forward on this legislation, and I think most Canadians would agree with me.

• (1050)

The Acting Speaker (Mr. Bruce Stanton): Before we carry on as we customarily do, I will ask for the number of members who wish to participate in this 30-minute question period so I can gauge how much time should be allotted.

A minute and a half is probably going to work well for each intervention.

The hon. member for Acadie—Bathurst.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, my question to the minister is, why do we go through elections? Why do we have a Parliament, and why is it that the Conservatives decide how many members will speak on a bill? Why is it that the Conservatives get to decide that 10 is enough?

We belong to a party. The citizens know which party we belong to. They have sent us here to be able to debate and vote on bills.

Well, for the NDP, 10 is not enough. I am sorry, but it is none of his business. It is the business of the member who is elected by the citizens to speak here on their behalf. Who are they to take away my right to speak on a bill? That is the problem. They have used time allocation 48 times to take our democratic rights away to get up in the House and argue on a bill that we want and that we have been elected to speak on.

That is the problem with the Conservative government. They should be ashamed of themselves.

Hon. Rob Nicholson: Mr. Speaker, the hon. member has misunderstood what I was saying. Again, when there were discussions as to how many speeches there would be from each party, I was the one who said—and my colleagues will attest to this—that I was not surprised that 10 speakers would be unacceptable to the NDP. I believe that 100 or 1,000 speakers would be completely unacceptable to the NDP. It would want to delay all justice bills and

all the bills that stand up for victims and law-abiding Canadians. The New Democrats would want to talk about it forever.

I stood up for the NDP, in that sense. I said that I am not surprised at all. They would want to go on for years and debate all our justice legislation.

Why do we have elections? It is because Canadians have the opportunity to say very clearly that they want us to get tough on crime. They want us to stand up for victims. That is why I am pleased. In each of the last four elections, more and more Canadians have made that point. They want exactly what it is that were are doing in Parliament, and I am very proud to be associated with that.

[*Translation*]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, the minister and his government colleagues clearly do not understand the message the official opposition is trying to get across.

The minister is targeting the symptoms of something he considers to be a problem: thoroughly debating important bills. We are not denying that Bill S-16 is an important bill.

However, instead of trying to understand why we are hesitant and why we want to have thorough, comprehensive debates in which a large number of MPs can speak, the government is systematically refusing to listen to recommendations from the opposition. That is a very serious problem.

We will therefore not stop putting pressure on the government. As long as it keeps refusing to listen to our recommendations and our amendments in committee, we will keep up the pressure. As soon as the government is open to our suggestions, as the Prime Minister claimed he would be in previous years, it might see less heated debates or, at the very least, debates could come to a natural end because of a lack of speakers.

Why does the minister refuse to consider the real reason behind our resistance?

• (1055)

[*English*]

Hon. Rob Nicholson: Mr. Speaker, I disagree with the member. I thoroughly understand the NDP, and I know exactly where it is coming from. When we bring forward pieces of legislation to crack down on crime in this country, to better represent the interests of victims, they are against it. I understand that, and I completely disagree with it. If that is what he is saying, I do disagree with the positions that the NDP take, but I certainly understand where they are coming from.

The member for Selkirk—Interlake brought a bill here to increase the sentences for those individuals involved in kidnapping, sexual assault and murder. The NDP sat on its hands. It did not want that bill to go forward. It did not want to get on its feet to support the member for Selkirk—Interlake.

Government Orders

I completely disagree with the New Democrats, but I want to have it on the record that I thoroughly understand where they are coming from. Again, I completely disagree with them.

[*Translation*]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, all we ever see from the Minister of Justice are bills with minimum sentences. If he is in such a rush, why did he not introduce a more complete bill? The Bloc Québécois, the industry in general and police officers have been calling for stricter measures for a long time. In particular, we have been calling for police officers to have the ability to seize smugglers' vehicles. That is not included in this bill.

Why did the minister not include this type of offence in Bill S-16 to enable police officers to be more aggressive and do their job better?

In addition, there is no increase in the cost of factory permits for tobacco manufacturers. It only costs \$5,000 for a permit to manufacture cigarettes, which, in many cases, go directly to smugglers. Why not increase that amount to \$5 million?

Those are only a few examples, and here is one more. Why is the government making cuts to border services when it claims to want to put an end to contraband tobacco?

In my own riding, I have worked with the Association des marchands dépanneurs et épiciers du Québec. That is what people want to see and that is not in this bill. I would like the minister to explain why.

[*English*]

Hon. Rob Nicholson: Mr. Speaker, the hon. member says the Minister of Justice always wants the same thing. Yes, we want to better represent victims in this country and we want to crack down on crime. That is exactly what my colleagues and I want. We have been very consistent in that regard.

If the hon. member wants to have a look at some of the details and accompanying announcements, my colleague, the Minister of Public Safety, made it clear that there is going to be a 50-person unit within the RCMP devoted to cracking down on contraband tobacco. Again, this is a step in the right direction. There are now more border guards. More resources have been directed toward that since this government took office. As well, we have updated the laws.

The member talked about car thefts. Again, with no help from opposition parties, we have brought in separate laws with respect to automobile theft and the gangs and organized crime that get involved with chop shops. This is by no means the only bill we have put forward that tackles this area, and I would ask him to look at our overall record. I hope he will finally come onside and start supporting these important efforts.

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, once again, we are being muzzled. This is not surprising, coming from a government that was found to be in contempt of Parliament, which was a first in Canadian history. This shows the extent of the government's contempt—not just lack of understanding—for what we call democracy here in Canada. We are talking about a 48th gag

order. The government is shutting down debate on a bill that is important to us.

The minister said that if the NDP had the choice, it would talk about the bill forever, but this is because this bill affects so many ridings and so many people. We have questions, and it is only natural we would want to discuss them, for our constituents. I remember that when I ran in 2008, people came to talk to me about contraband tobacco. This issue is very important, not only in terms of public safety, of course, but also in terms of health.

Democracy implies consultation. We know that the minister did not hold consultations, particularly with first nations. I would like to know why not.

• (1100)

[*English*]

Hon. Rob Nicholson: Mr. Speaker, he asked about how democracy works, and he said he spoke with individuals in his own constituency about the problems with respect to contraband tobacco. We heard the same thing. I would put it back to him. What is he going to say to the people after he tells them that when the government brought in legislation directed at cracking down on contraband tobacco and dedicating greater resources to it that the NDP did not want to move forward and wanted to delay it?

I think he is going to have some challenges when speaking with those people. We have heard from those individuals. I have heard from individuals who have described what a problem this is. We want to help everyone across this country crack down on this issue. This is exactly what this country needs. These are specific provisions that would deal with contraband. This is how democracy works. When he goes back to tell his constituents what the government is doing, they are going to applaud and say this is exactly what needs to be done in this country. That is what democracy is all about.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I appreciate the minister speaking on these very important matters. I must be frank. I am a little disappointed, particularly with the members of Parliament from Quebec. When it came to our megatrials legislation, they quickly came on board because they saw that the government was taking comprehensive action on dealing with organized crime.

This bill also cracks down on organized crime. In fact, law enforcement officials tell us that this has been a long-standing problem that creates a threat to public safety. I want to see this legislation brought to committee so we can start discussing it and bring in experts to have a full vetting on this.

Could the Minister of Justice again explain why this is not only in our economic interests but also in the interests of having safer streets, and why this needs to go forward to committee?

Hon. Rob Nicholson: Mr. Speaker, I want to thank the member for his continued interest in all our efforts to better protect Canadians. It is a public safety issue. It is an issue that is related to criminal activity. As we know, tobacco use continues to be the most preventable cause of premature death in this country. Cracking down on tobacco in this country is a health issue as well.

Government Orders

I think the bill addresses all those areas. We do not want contraband tobacco being distributed or brought into this country. We want to get the message out that this is a preventable form of death for many individuals.

We want to make sure the message about tobacco and its use gets out to people. This is exactly what we need. We have expanded the provisions, and not just from the Excise Act. By putting it directly in the Criminal Code, it now sends a message to organized crime about the seriousness with which this government takes this matter. I want to say again how much I appreciate the member's support on this, and indeed all the measures we have brought forward in the justice field.

[*Translation*]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, given that we live in a glass house, I will not be throwing stones at anyone. However, I would like the Minister of Justice to realize that we need a law to fight organized crime and contraband cigarettes. We want the law to be effective. Therein lies the problem.

All too often, this Parliament has passed laws that had good intentions, but were not used by prosecutors because they felt that the burden of proof imposed by the laws in question was too onerous and they were not more effective than the old laws. The prosecutors preferred to continue using the old provisions of the Criminal Code rather than the new ones because they got better results.

Attorneys do not like to have laws that will be deemed ultra vires by all judges because they cannot be enforced. That is a major problem.

When we want to fight organized crime, it is not enough to say that we want to fight it. We have to actually do it. Unfortunately, all too often, the Conservatives listen to no one, not even us or the experts. What is more, their laws are not used.

For example, they want to play hardball when someone is convicted of kidnapping and murder. However, the Criminal Code already provides for a life sentence without eligibility for parole for 25 years. They cannot impose a longer sentence. Nevertheless, they talk tough and put out propaganda. That has to stop.

In closing, I will say that we want a law to fight organized crime, not just an advertising flyer.

● (1105)

[*English*]

Hon. Rob Nicholson: Mr. Speaker, this is typical of the NDP members. They say they want to do something in the area of crime, but then they oppose all the measures that do exactly that. It is like a trade deal. They say they do not have a problem with trade deals, but they have opposed all the trade deals over the last 40 or 50 years because they are all wrong. This is the problem with the NDP.

What we are doing is actually implementing legislation and moving forward. The member asks whether people can be prosecuted under the old law. Guess what? I have some wonderful news on this piece of legislation. He will notice when it gets before the committee that we are keeping the provisions of the Excise Tax Act. If there is a decision to proceed under the act, all those provisions are right there. That is the way it is in Canada. In addition,

we have also now put it in the Criminal Code, to have this alternate avenue by which these offences can be prosecuted. If the member likes the old law, then he will be very happy and pleased when it gets to the committee. In order to crack down on organized crime we need new provisions, and that is exactly why we have put it in the Criminal Code.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I would like to congratulate the Conservatives for bringing in measures to deal with contraband tobacco. That is a positive thing.

When I was first elected in 2008, this issue was being discussed. When I was a member of the public safety committee in 2009, we had a study on contraband tobacco. Every member in this House realizes that there is a serious problem, both for the health of Canadians and in dealing with criminal law.

However, the real issue that we are talking about is the proper way to pass those laws. We on this side of the House think that we should not rush a bill through, that every bill deserves proper scrutiny, not only to ensure that it does what it is set out to do, but also because every member of this House can make a contribution to improving a bill like this.

What have been the statistics on contraband tobacco entering our country over the last five years? Can the minister give us information in this House about whether we are seeing increases in contraband tobacco entering our communities, or have we had some success?

One thing I will point out is that the current government has closed certain border crossings over the last three years. I am sometimes concerned that we have made the border a bit more porous and allowed entry points for contraband tobacco to enter our communities.

Hon. Rob Nicholson: Mr. Speaker, I agree with the hon. member that this is a growing problem. In terms of dealing with this piece of legislation, this is a great opportunity to move this bill into the committee where members can hear from individuals who are on the ground, people with knowledge in this area. That would work very well.

The member makes a good point in terms of what we have to be doing, in moving forward. As I indicated to one of his colleagues, the RCMP will have a special unit composed of 50 representatives of the RCMP completely devoted to cracking down on contraband tobacco.

I agree, and he has made the point directly or indirectly, that this is becoming an increasing challenge for law enforcement. This is why we have expanded the provisions to the Criminal Code, and why my colleague, the Minister of Public Safety has come forward with that initiative within the RCMP. It is a comprehensive approach. Again when we go back to our constituents and we hear what is happening on the ground, it is exactly what this country needs at this time.

Government Orders

• (1110)

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I would first like to say that I find the whole situation pretty sad. It is sad that the government has moved so many time allocation motions—in fact, the most in the whole history of Parliament. I would remind the House that we are not in a time of war, at least, not as far as I know. I do not understand what is so pressing.

It is also particularly unfortunate that, this time, this is coming from the Minister of Justice, someone who is supposed to be one of this country's leading authorities on justice. You could say that this individual is supposed to lead by example. When we talk about justice, that automatically means talking about democracy and upholding people's rights. It is really sad that the government is behaving like this. When the government does such things, it leaves the entire country with a certain impression. It is basically like saying that there is no point in taking the time to negotiate and let people express their opinions, because the government will pass whatever it wants using a gag order. This is truly unfortunate.

I would like to hear what the minister thinks about this. Is he comfortable with the impression this gives the entire country, all Canadians? Is this the message he wants to send to Canadians—that the government does not listen to people, that it passes bills using gag orders and steamrolls everyone in order to get its way, instead of coming up with strong arguments? Does it have to ram everything down our throats?

[*English*]

Hon. Rob Nicholson: Mr. Speaker, that is one of the great things about the democratic process in this country and one of the things in which I take a great deal of satisfaction.

I can tell members that in the 2004, 2006, 2008 and 2011 elections, those four elections, we were very clear with the Canadian public. We said that we would move forward with cracking down on crime, ensuring that individuals found guilty of crime are accountable for what they have done; that we would make it a priority to stand up for victims; and that we would look at efficiencies within the criminal justice system to make it work better.

One of the things of which I am particularly proud, and the record will bear me out on this, is that in each of those four elections more and more Canadians responded to what we were saying. Our justice agenda is only part of what we are doing, but an important part, nonetheless.

The hon. member, on five occasions, said how sad she is. She can take some comfort, and I hope it will make her happier, when she looks at the provisions of the bill because we are cracking down on a big problem in this country, which is contraband tobacco.

I would suggest this is a way of reinvigorating her. I hope she feels much better about this when she has a look at the provisions of this, because this is on the right track.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I was pleased to hear the Minister of Justice speaking on this.

I would like to address the suggestion that this issue has not been debated. Having been on the public safety committee for the last seven years and having been on the justice committee, I know these committees have studied this subject of contraband tobacco and have heard from countless witnesses. If members in this House stand to say we have not studied it enough, they are exactly, 100% wrong.

We know that contraband cigarettes are now being sold to our children, in schoolyards, at about 5¢ apiece. We know that the Ontario provincial police and other police agencies have made huge seizures of contraband cigarettes, actually tractor-trailer loads. We have, in this country, stepped up our enforcement. However, we need additional tools for the law enforcement agencies to be able to do their jobs. They have been asking us for this.

I wonder if the minister would talk about those issues.

• (1115)

Hon. Rob Nicholson: Mr. Speaker, I want to thank the member for all his interest in all the issues related to better protecting Canadians and better protecting children in this country. He is quite correct, in terms of the challenges in this area. One of the things that particularly pleases me is that not only would we keep this in the Excise Tax Act, which is under federal prosecution and related to the RCMP, for the most part, but we would have this alternative within the Criminal Code that would get all police forces across this country and provincially appointed crown attorneys involved. This would be one more option to crack down on this.

Again, as I pointed out, this would send the right message to organized crime, that the government takes this issue seriously, as this is exactly what we would be doing when we move forward. I urge all members to get this into committee, as is the right thing to do.

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, I thank everyone for their impassioned speeches today. I have a couple of questions for the minister. This is where we come up with new, unforeseen circumstances and situations when we are ramming through all these bills.

This bill seeks to tackle contraband tobacco and also to stop contraband coming across the border. Yesterday, through time allocation, we rammed through Bill C-56 that would actually add *ex officio* powers to CBSA officers to stop counterfeit and trademark-infringed goods from coming across the border.

We have multiple bills going through at the same time that would add more responsibilities and put more strain on our border officers. At the same time, the government last year brought in over \$143 million in cuts to CBSA. CBSA's own numbers say that it is going to lose 550 full-time staff between now and 2015.

I would like to ask the minister how he squares that circle. We are thrusting all these responsibilities upon CBSA while, at the same time, cutting its budgets. How is the CBSA supposed to continue to do the job of keeping Canadians safe?

Hon. Rob Nicholson: Mr. Speaker, this government has a record of putting more resources into this area, and it is not just confined to that. As I indicated to the House, there would be a special unit within the RCMP. There would be 50 RCMP officers devoted to that, in addition to all other federal resources in this area.

We are getting the job done on every level. We are changing the laws. We are making sure that the resources and the support are there. We get support from local law enforcement agencies as well. The OPP and Sûreté du Québec are involved with this. That is why this piece of legislation will be so welcomed.

The Acting Speaker (Mr. Bruce Stanton): That will bring the 30-minute question period to a close. I note that members for Laurentides—Labelle, Chicoutimi—Le Fjord and Fort McMurray—Athabasca did not get a chance to participate, but we will take pains to ensure that they get a chance in questions and comments when the bill comes before the House.

It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bruce Stanton): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bruce Stanton): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Bruce Stanton): Call in the members.

• (1200)

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

(Division No. 755)

YEAS

Members

Abлонczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Aspin	Bateman
Benoit	Bergen
Bernier	Bezan
Block	Boughen
Braid	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Butt	Calandra
Calkins	Cannan

Carmichael	Carrie
Chisu	Chong
Clarke	Crockett
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Findlay (Delta—Richmond East)
Flaherty	Fletcher
Galipeau	Gallant
Gill	Goguen
Goldring	Gosal
Gourde	Grewal
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Leef	Lemieux
Leung	Lizon
Lobb	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	Obhrai
O'Connor	O'Neill Gordon
Opitz	O'Toole
Payne	Poilievre
Preston	Raitt
Rajotte	Reid
Rempel	Richards
Rickford	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Storseth
Strahl	Sweet
Toet	Trost
Trottier	Truppe
Tweed	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Wallace	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	Wilks
Weston (Saint John)	Wong
Williamson	Yelich
Woodworth	Young (Vancouver South)
Young (Oakville)	
Zimmer— 139	

Government Orders

NAYS

Members

Andrews
Atamanenko
Bélangier
Bennett
Bevington
Blanchette-Lamothe
Boutin-Sweet
Brousseau
Caron
Cash
Chicoine
Choquette
Cleary
Cotler
Cullen
Davies (Vancouver Kingsway)
Day
Dion
Doré Lefebvre
Duncan (Etobicoke North)
Dusseault
Eyking
Fortin

Government Orders

Freeman	Garrison
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Jacob	Jones
Julian	Karygiannis
Kellway	Lamoureux
Lapointe	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
MacAulay	Mai
Marston	Martin
Mathysen	May
McCallum	McGuinty
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Mulcair	Murray
Nantel	Nash
Nicholls	Nunez-Melo
Papillon	Patry
Péclet	Perreault
Pilon	Plamondon
Quach	Rae
Rafferty	Rankin
Ravignat	Raynault
Regan	Rousseau
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sims (Newton—North Delta)	Sitsabaiesan
Stewart	Thibeault
Toone	Trudeau
Tumel	Valériote — 118

PAIRED

Nil

The Acting Speaker (Mr. Bruce Stanton): I declare the motion carried.

Ms. Elizabeth May: Mr. Speaker, I rise on a point of order. I stand to be corrected, but I believe a vote was incorrectly attributed to the member for Crowfoot, who is not voting at this time.

The Acting Speaker (Mr. Bruce Stanton): I appreciate the hon. member's comments, and we have taken that into account.

[*Translation*]

SECOND READING

The House resumed from June 11 consideration of the motion that Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco), be read the second time and referred to a committee.

The Acting Speaker (Mr. Bruce Stanton): Order. I wish to inform the House that, because of the proceedings on the time allocation motion, government orders will be extended by 30 minutes.

Resuming debate. The hon. member for Lac-Saint-Louis.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, we are looking at the issue of tobacco use, which is a scourge on our society. This issue looms over our society on many levels, and has been doing so for decades. Over the years, significant financial resources have been put into the fight against smoking.

Tobacco use is a fairly complicated issue, as is contraband tobacco. This is clearly a health issue. We know that smoking is bad for people's health. Over the years, we have come to realize that not

only do smokers suffer serious consequences, but those around them can also suffer. Years of research led to those conclusions.

Just as an aside, it is very telling to look at how tobacco and its health effects were dealt with during studies in the 1960s and 1970s. A similar approach is being used now with respect to other products that can be harmful to humans. For example, when a manufacturer of a potentially harmful product states that there is no proof that the product is harmful, reference is often made to tobacco and the fact that in the 1960s and 1970s, tobacco manufacturers said that studies were inconclusive. To an extent, that experience shaped how we look at things.

This issue has health consequences. Tobacco, especially contraband tobacco, also has a significant economic impact, especially on aboriginal reserves. We know that criminals are involved in trafficking contraband tobacco, but we also see that on reserves, more and more ordinary people are working in tobacco plants. It does not matter to them if the plant is operating within the law or is hidden in the woods. These people are not criminals. They just want to earn a living. They may not give much thought to all the legal aspects surrounding the tobacco operation they are working for.

Aboriginal reserves are very involved in manufacturing tobacco products, whether legally or otherwise. The problem is that these reserves are becoming more and more dependent on selling tobacco and manufacturing tobacco products, which makes them somewhat vulnerable. It is obvious to most people here the House that in the long run, tobacco consumption will decline. If an aboriginal reserve becomes dependent on the tobacco industry, what will people there do when the industry collapses, if it comes to that?

There are health-related questions and an economic aspect to consider. There is also a financial aspect for the government because the tobacco industry, in general, generates significant tax revenues for the government.

● (1205)

When a black market expands, it eats into government revenues. According to some experts, the black market accounts for almost one-third of the Canadian tobacco market.

For example, there are reportedly 300 smoke shacks in Canada. At these shacks, which we sometimes see on the roadside in aboriginal reserves, cigarettes are sold to aboriginal peoples, who have the right to purchase them without paying taxes, and also to other people passing through the reserve to buy these products tax-free. Furthermore, there are approximately 50 illegal cigarette factories, and some of them are quite large.

There is also organized crime. Trafficking in contraband tobacco is an activity that attracts organized crime, which is involved in trafficking in many other goods, including drugs and illegal arms. It is a scourge on several accounts.

Another important aspect with regard to our federation, one of the most advanced in the world in terms of the fight against trafficking in contraband tobacco, is that this involves at least two levels of government. The federal government must work with the provinces, and especially with provincial police forces, to try to address this problem.

Government Orders

[*English*]

This brings us to Bill S-16. Let us talk a bit about what Bill S-16 would do.

First, it would bring the issue of contraband tobacco into the Criminal Code. A lot of people listening at home are probably surprised that selling contraband tobacco is not a Criminal Code offence at this time. People know that they should not be doing this and that there are legal consequences, but those consequences currently are not under the Criminal Code. They are under the Excise Act. There are fines under the Excise Act for engaging in the illegal sale of contraband tobacco.

Bill S-16 would add offences under the Criminal Code. It would add as offences selling, offering for sale, transporting, delivering, distributing or possessing for the purpose of sale a tobacco product or raw-leaf tobacco that is not packaged, unless it is stamped. These are the new offences that would be created under the Criminal Code.

The point is that it would allow the government to make it a more serious offence to engage in the sale of contraband tobacco, but it would also give prosecutors flexibility. A prosecutor would be able to decide whether to prosecute under the Excise Act, which would mean, I would imagine, that the burden of proof may not be as high, or whether to prosecute under the Criminal Code, which carries more severe offences. Therefore, the bill would provide more flexibility for prosecutors.

It would also empower all police forces to combat tobacco smuggling. Currently, only the RCMP can get involved under the Excise Act, but if the offence is under the Criminal Code, provincial and municipal police forces would be able to enforce the act. Of course, the bill would make consequential amendments to the definition of “attorney general” so that both the federal government and the provinces could prosecute offences through their Attorneys General.

The act would introduce minimum sentences for repeat offenders where there is a high volume of contraband tobacco involved. When we talk about a high volume, we mean, under Bill S-16, over 10,000 cigarettes or over 10 kilograms of other tobacco products.

• (1210)

These minimum sentences would apply only where prosecution was on indictment versus summary conviction. What is interesting is that the minimum sentence would only kick in on the second conviction. The sentence would be 90 days on a second conviction, 180 days on a third conviction and two years less a day on subsequent convictions. I imagine that this means that the time served would be not in a federal penitentiary but in a provincial jail. The minimum sentences would apply only when the first offence was under the Criminal Code, not under the Excise Act, for example.

The Liberal Party is generally reticent to support legislation that has minimum sentences, because experts have told us that these simply do not work in terms of making society safer. In this case, we are willing to consider the minimum sentence, because it would not apply on a first Criminal Code offence. However, we want to study the matter a little more closely in committee and bring in the experts to tell us what the impact of these minimum sentences would be.

We have to be careful that these minimum sentences catch the serious criminals and not, for example, a young aboriginal person who is perhaps not 100% aware of what he or she is doing and is acting as a mule, transporting cigarettes, maybe even without his or her knowledge. Obviously, we want to keep aboriginal youth out of jail. We do not want to see them go down that road if it can be avoided. The fact that the minimum sentence does not apply on the first offence is something that allows us to consider supporting the bill throughout the process and certainly allows us to vote for it to send it to committee.

We also want to study the fact that we are basically, in some ways, duplicating offences, because there are fines under the Excise Act. Are we just duplicating for the sake of a public relations effect, or will the bill really be effective? We can only tell once we bring in the experts.

I would also point out that there is an interesting contradiction in the bill, because usually, under the Criminal Code, if someone commits an offence and had committed a prior offence, but the prior offence was committed more than 10 years earlier—in other words, 10 years has elapsed between offences—generally, the court does not consider the first offence in its decision. This is not the case with Bill S-16. First offences, even if committed 10 years prior, would still enter into the consideration of the court's decision. We want to look at that, and we would want to know why the contradiction exists in this case.

• (1215)

[*Translation*]

The government sometimes prefers easy solutions or symbolic gestures that make the public believe that the government is acting decisively, even though the proposed solutions are sometimes ill-conceived and simplistic whereas the issues require more complex and nuanced responses.

We must do more than just rely on Bill S-16. For example, there are at least three things we must do in addition to introducing, debating and passing this bill.

First, an ongoing advertising campaign that is well funded by the federal government or other levels of government is required. I believe that the Conservative government has already made a commitment in that regard. The advertising campaign is needed to raise awareness because a fair number of people stop by smoke shacks on reserves to buy cartons of tax-free cigarettes. As I mentioned at the beginning of my speech, the sale of these cigarettes is connected to organized crime in a number of ways.

If we tell most people that that is the case, they might think twice before buying tax-free cigarettes, even though it may be more expensive for them. I think that most people do not want to contribute to the problem of organized crime. If we explain to them that they are contributing to the rise of organized crime by buying contraband cigarettes, many people will not buy cigarettes at these sales outlets.

Government Orders

Second, we need to invest in enforcing the act. I know that the government announced that it was going to create a special unit within the RCMP to combat trafficking in contraband tobacco. I hope that an appropriate amount of long-term funding will be allocated to this.

There is also the problem of the border crossing between Massena and Cornwall. This border crossing, which was located on Cornwall Island, was moved to Cornwall, on the Canadian side of the St. Lawrence River. Right now, the government is considering moving the border crossing again, this time from Cornwall to Massena, which is on the American side of the river. The government is supposedly negotiating with the United States in this regard. Many observers and stakeholders, including the tobacco industry and the Government of Ontario, have reservations about moving this border crossing.

I am therefore asking the government to think carefully about what it is trying to accomplish by moving this border crossing and to leave it on the Canadian side of the river. The Government of Ontario and Minister Madeleine Meilleur in particular are asking the government not to move the border crossing.

This matter requires the co-operation of the federal and provincial governments. The government will also have to work with the provinces, particularly Ontario. Ontario is currently not monitoring farms that grow tobacco leaf, which opens the door to using raw materials for the production of illegal cigarettes and other tobacco products.

That being said, dear colleagues from the other parties, we are going to support this bill at second reading. I expect that we will be examining the issue in the fall, if Parliament is not prorogued. I hope that we will be able to ask the experts who come to testify in committee some fairly detailed questions.

• (1220)

[*English*]

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I want to thank my colleague for his thoughtful perspective on this piece of legislation.

One of the aspects of contraband tobacco is the health issue related to tobacco as a whole. Not only are individuals buying tobacco that has been produced illegally, but many times, other illegal activity surrounds it.

My colleague serves with me and other members on the public safety committee. Even though we are talking right now about the legal issues related to contraband tobacco and organized crime, as a mother, I am concerned about young people who start smoking at an early age. Part of what feeds that is the ability to get cheap cigarettes. I am wondering if my colleague could comment on that.

Mr. Francis Scarpaleggia: Mr. Speaker, what is interesting is that I have been told that the problem is becoming so widespread—and I do not know if the word is *blasé*—that people can now receive contraband cigarettes by mail order and they will be deposited in their mailbox. This is a problem. It brings contraband cigarettes even closer to being accessible to our young people. Obviously we do not want them to ever start smoking, and certainly not at a young age.

An additional problem with illegal tobacco is that its production is not regulated. There have been impurities and all kinds of things put into contraband tobacco that people would not want to inhale into their system.

It is a serious problem. We have to get a better handle on it. I hope we will see some success in the years ahead.

[*Translation*]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, I thank my colleague for his very enlightening speech.

I think the crux of the debate here is not whether we need to tackle contraband tobacco. The bill makes a lot of sense. I think the debate should focus more on what we need to do before we pass such a bill.

I would like to know what my colleague thinks about the role that aboriginal communities should play in designing and passing this kind of bill. This will surely affect many aboriginal communities.

A number of reports, experts and studies have all said that the first nations should have a key role in tackling contraband tobacco in Canada.

Since my colleague is a member of the Standing Committee on Public Safety and National Security, and since this bill, if it is passed at second reading, will be sent to this committee for study, I would like to know what he would like to see in terms of consultation and collaboration with the first nations before such a bill is passed?

Since he will have to speak to this bill in committee, what would he be prepared to accept or not accept?

• (1225)

Mr. Francis Scarpaleggia: Mr. Speaker, indeed, we will need to consult a whole range of experts, including those who are most familiar with aboriginal reserves. We will have to hear from band councils, especially those of the reserves involved. We will need to examine all aspects of this matter thoroughly in committee when witnesses come to give their testimony.

As I said in my speech, although this is a federal act, co-operation among the different levels of government is crucial. I mentioned the federal and provincial levels, but perhaps I should have also emphasized how important it is that band councils and aboriginal police forces be involved. Many aboriginal communities have their own police forces.

These people must be consulted at the committee stage of the bill. Furthermore, when it comes time to enforce the bill, it will be important to work with all stakeholders.

[*English*]

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I thank my colleague for his very insightful and thoughtful speech. This is a huge problem for the greater community of Ottawa—Gatineau. I have had retail store operators, local RCMP detachment officers, the Ottawa Police and beyond, make representations on the question of contraband cigarettes.

Government Orders

I was struck by one of the issues that was raised by my colleague in his speech, that being the question of effective outreach, communication, publicity and advertising. We need to impress upon Canadians that we need to continue what is really a very dramatic success story in Canada in terms of the number of people in Canada who do not smoke.

The government seems to have an awful lot of revenue for its economic action plan. We are seeing numbers now at about \$100 million a year. I saw the ads again last night during the playoff hockey game. It did not spoil the game. It was a great game.

On a serious note, I want to ask my colleague if he could talk a bit about what he would envisage in terms of outreach and engagement, to make sure those powerful weapons are deployed against contraband tobacco products so that people do not smoke or we basically prevent them from starting to smoke. It is a terrible addiction. It would be very helpful to have my colleague speak to that.

Mr. Francis Scarpaleggia: Mr. Speaker, as I was saying before, I think most Canadians would shun contraband tobacco if they understood what was going on in the background when they purchased a cigarette. If one understood that one is unwittingly participating or feeding a multi-layered system of organized crime that touches on all kinds of issues, like gun smuggling, drug smuggling and human trafficking, I think people would think twice. The government needs to explain to Canadians the linkages between illegal tobacco and other crime problems in our society.

Over the years, I have had the opportunity to work with Heidi Rathjen, who was one of the spearheads, with Wendy Cukier, behind the push for the long gun registry. I do not want to mix the two issues. However, after working on that issue for a number of years, Heidi went to work for the Coalition québécoise pour le contrôle du tabac. She has been speaking to me over the years, wishing that the government would do more and would be more receptive to suggestions and recommendations. I hope the Minister of Health will take Heidi and her group seriously in terms of further developing a strategy against tobacco use.

● (1230)

[Translation]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I thank the hon. member for Lac-Saint-Louis for his speech.

I had the privilege of being a member of the Standing Committee on Justice and Human Rights. *Dura lex*, as the expression goes; the law is strict. While the law may be strict on paper, if we do not have the means to enforce it, then what good is it? Instead of being a real deterrent for criminals and traffickers of all kinds, it would merely be an idle threat.

During our deliberations in the Standing Committee on Justice and Human Rights, members have repeatedly pointed out that the government often likes to hide behind harsh sentences and laws that are strict on paper, but does not provide sufficient resources. That is something we in the NDP are very concerned about.

Does my colleague share the same concern?

Mr. Francis Scarpaleggia: Mr. Speaker, I absolutely do. When a government puts a budget together, there are choices to be made.

Sometimes these are difficult choices, but they have to be made. We are dealing with some rather significant public safety challenges, so perhaps now is not the time to be reducing public safety budgets, including the RCMP's, among others.

This takes more than legislation. It takes means. I know that my colleague opposite supported Bill S-2. The fact remains that there are no resources for creating women's shelters on reserves for victims of spousal abuse.

Having legislation is one thing, but at some point we need to have the necessary resources to ensure that the legislation produces positive, tangible results.

[English]

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I appreciate the opportunity to speak in support of Bill S-16, an act to amend the Criminal Code (trafficking in contraband tobacco).

I want to begin my comments by saying that I agree with my colleagues across the way. When it comes to contraband tobacco, there are a number of challenges that have to be addressed. Certainly there is the issue of young people or individuals who smoke, the demand for tobacco and an increased demand for contraband tobacco, and the whole aspect of crime prevention.

However, up to this point the challenge has been the legislative gap. Law enforcement has only been able to charge individuals who are involved in this kind of illegal activity under the Excise Act. As legislators, we have a responsibility to look at issues like this and address them in their totality. That is why this piece of legislation is important and vital. However, it is not the only piece to combat the problem of contraband tobacco.

We do not want to target individuals, such as a young person who has contraband tobacco on their person. That is not what we are talking about. As my colleague from the Liberal Party mentioned, we are talking about organized crime and very serious traffickers who are involved in all kinds of other illegal trafficking.

I will begin by talking about the technical parts of this bill and some of the changes that would occur. I also want to talk about what Public Safety and the RCMP are doing in terms of the new unit we committed to in 2011, which is being formed right now.

Bill S-16 is another part of our government's plan for safe streets and communities. It focuses on tackling crime and putting victims' rights ahead of criminals. We are setting the conditions for fair and efficient justice.

The bill proposes to amend the Criminal Code to create a new offence of trafficking in contraband tobacco. This new offence would carry penalties that would better reflect the harm caused by the trade in contraband tobacco. Specifically, the bill would impose mandatory minimum penalties of imprisonment for persons who are convicted of this offence for a second or subsequent time. It would not be for the very first criminal offence, and it certainly would not be an offence charged under the Excise Act. A second offence would be under Criminal Code charges.

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The proposed new offence against dealing in contraband tobacco would prohibit the sale, possession for the purpose of sale, offer for sale, as well as the transportation, delivery or distribution of a tobacco product or raw leaf tobacco that is not packaged unless it is stamped. The terms “tobacco product”, “raw leaf tobacco”, “package” and “stamps”, would have the same meaning as they have in section 2 of the Excise Act, 2001.

A first-time offender convicted under the new offence would face a maximum penalty of six months' imprisonment on summary conviction, and up to five years' imprisonment if prosecuted on indictment. Repeat offenders convicted of this new offence involving large amounts would face mandatory minimum penalties. In cases involving 10,000 cigarettes or more, or 10 kilograms or more of any other tobacco product or raw leaf tobacco, a second-time offender would face a mandatory minimum penalty of 90 days' imprisonment. A third-time offender would face a mandatory minimum penalty of 180 days, and a person convicted of a fourth offence or more would face a mandatory minimum penalty of two years less a day.

We believe this provides a very balanced approach. It is not an overly harsh approach, but one that certainly provides new legislation and tools that law enforcement need in order to combat contraband tobacco trafficking.

Bill S-16 would also amend the definition of Attorney General in the Criminal Code so as to give the Attorney General of Canada concurrent jurisdiction within the provinces to prosecute this new offence. Again, the Excise Act only applies federally. This would give provincial police the ability to lay these same types of charges under the Criminal Code.

I believe these proposals represent a tailored approach to the imposition of mandatory minimum penalties for serious contraband tobacco activities. The bill proposes minimum penalties only in cases where there is a specific aggravating factor, and that would be the quantity of tobacco product.

Contraband tobacco threatens the public safety of all Canadians, our communities and our economy. Many people think it is a victimless crime, that it is individuals wanting to buy cigarettes for less money. However, that could not be further from the truth.

●(1235)

There is a huge organized crime aspect to contraband tobacco, and it threatens all of us, certainly our children and our young people. It also has implications for relationships with our international partners, especially the United States. The trade in contraband tobacco fuels the growth of organized criminal networks and is attacking the health of our Canadian youth.

We only need to look at the closest schoolyard to see that impact. When we look at areas where schools have designated a smoking area, it is sad to say that there was a time when that was going down, but it is evident that more and more young people are starting to smoke. We even see smoking in the media and in Hollywood movies, even though smoking is taboo. Sadly it seems that more and more young people are smoking, and contraband tobacco only feeds that.

A study conducted in 2007, 2008 and 2009 on the proliferation of contraband tobacco at high schools in Ontario and Quebec reveals

that nearly one-third of the cigarettes found at Ontario high schools and over 40% of those at Quebec high schools were contraband products. That speaks volumes about the problem that contraband tobacco is causing and the impact it is having as far as young people beginning to smoke.

We also know that studies show if young people begin smoking at an early age, it is much harder for them to quit. It is much harder for them, even as adults who may want to stop smoking. It becomes very difficult. We can see by the evidence that contraband tobacco is certainly fueling the proliferation of our young people who are smoking.

Obviously a problem of this magnitude requires a comprehensive set of responses, as I said at the beginning of my speech. Bill S-16 contributes to this response by strengthening our criminal law framework's response to trafficking in contraband tobacco. Bill S-16 is only a part of the government's broader response to combat the trafficking and cross-border smuggling of contraband tobacco.

Another key element of our response is the establishment of a 50-officer RCMP anti-contraband tobacco force. This was the commitment we made in 2011 and we are following through on this commitment. This new force builds on the existing RCMP strategy, which focuses on reducing the availability of and demands for contraband tobacco, and again, the involvement of organized crime that plays such a big role in the contraband tobacco problem in Canada.

Another critical part of our broader, law enforcement response is the fact that the RCMP and Canada Customs have seized record quantities of contraband tobacco.

As I mentioned earlier, organized crime plays a central role in Canada's contraband tobacco trade, with the result that most of the organized crime groups across the country involved in illicit tobacco markets are also involved in a number of other forms of criminality. It is never just one contraband product that they are trafficking; they are usually involved as well in other banned illegal substances, guns, and the smuggling and trafficking of humans.

The problem is further complicated by the international aspect of the illicit tobacco trade. On this issue, it is important to recall that Canada and the United States share a long history of law enforcement co-operation. Recent and ongoing threat assessments have identified organized crime as the most prevalent threat encountered at our shared borders. As we work together with our partners and with our friends to the south of us, we recognize that the problems that we have at the borders, and indeed smuggling of guns, tobacco or whatever might be smuggled, is primarily done by organized criminals in Canada and the U.S.

This includes significant levels of contraband trafficking, as I said, ranging from illicit drugs and tobacco to firearms, primarily handguns. Handguns are the primary firearm that is being trafficked and used in organized crime activities. I mentioned human smuggling, which is sadly becoming a greater problem. Our government is certainly addressing human smuggling and even human trafficking.

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• (1240)

Recognizing our mutual interest in the security of our shared waters on the coasts, the Great Lakes and the St. Lawrence Seaway, Canada and the United States explored the concept of integrated cross-border maritime law enforcement operations. Commonly, this has been referred to as the shiprider agreement. It would permit marine law enforcement vessels to be jointly crewed by specially trained and designated Canadian and American law enforcement officers who are authorized to enforce the law on both sides of the international boundary line in the course of integrated cross-border operations.

Again, this represents a very practical and efficient solution to illegal activity at our borders, especially in our waterways. It would give law enforcement authorization in America but primarily in Canada. We are obviously looking to the Canadian side, where we would be able to work together with our partners to combat this problem, as well as other organized illegal activity that could happen at the border. Designated law enforcement officers from the RCMP and the United States Coast Guard, and other law enforcement agencies from Canada and the U.S., would now be able to conduct seamless policing operations to disrupt organized crime and criminal activity at the border.

Canada and the United States piloted a project between the RCMP and the U.S. Coast Guard that authorized integrated cross-border maritime law enforcement between these two organizations.

The shiprider pilot project had immeasurable impact upon cross-border criminal activity, including removing the border as an impediment to effective border policing. Again, this is a very practical and very efficient way of border policing. For example, during the 2007 pilot project, the RCMP and the U.S. Coast Guard officers participated in more than 187 boardings, which resulted in the seizure of 1,420,000 contraband cigarettes. That is a huge number of cigarettes that were intercepted and stopped because of the pilot project, which has been very effective.

A framework agreement to govern deployment of regularized shiprider operations was signed in May 2009, following the successful pilot project. Legislation seeking to implement the agreement was enacted in 2012.

Today, the contraband tobacco market is largely driven by illegal operations in both Canada and the U.S. Ontario and Quebec have the highest concentration of contraband tobacco manufacturing operations, the majority of the high-volume smuggling points, and the largest number of consumers of contraband tobacco. Certainly, members of Parliament from both Ontario and Quebec will be recognizing this as a problem in each of their provinces. However, we do recognize that it is a national problem to be addressed at the national level.

Locally, there is so much that can be done. We are working together with law enforcement in both provinces, the RCMP team as well as other integrated teams but, legislatively, we have to address it at the national level in order to be able to look at the areas where it is growing and address those problems.

The 2012 national threat assessment on organized and serious crime, prepared by Criminal Intelligence Service Canada, has

identified 58 organized crime groups which are involved in the contraband tobacco network. We are not just talking about somebody going across to the United States, buying cheap cigarettes and bringing them back for their relatives or selling them to neighbours. We are talking about a very serious problem. If we do not deal with it as a criminal activity, it will continue to grow.

I know we appreciate the involvement of stakeholders that also recognize this problem. That is why we have introduced this legislation.

These criminal networks reinvest profits from the manufacture and distribution of contraband tobacco into other forms of criminality, including the trafficking of illicit drugs, firearms and human smuggling.

Furthermore, and again this is a key part of this issue, the RCMP reports that violence and intimidation tactics continue to be associated with the contraband tobacco trade. As any organized criminal activity will prove, there is an increase in violence, in the threat to public safety and other criminal activity associated with this.

• (1245)

The federal government launched the RCMP's contraband tobacco enforcement strategy in 2008. They worked together. The contraband tobacco enforcement strategy focuses on reducing the ability of, and demand for, contraband tobacco, and the involvement of organized crime.

In addition to the enforcement measures of this strategy, the task force on illicit tobacco products was formed to identify concrete measures to disrupt and reduce the trade in contraband tobacco. We worked together with our partners and other agencies throughout the country. This task force brought together a number of different facets and stakeholders, and law enforcement to look at how we reduce the demand for, stop the production of, and disrupt the illegal activity surrounding contraband tobacco.

Based on the recommendations of the task force, the Government of Canada announced in May 2010 an investment of \$20 million for a series of measures to disrupt the supply of and demand for contraband tobacco. Again, I know the opposition talked about resources to do this. We are really taking a very strong, measured approach where we have the legislation that we need but we are also providing resources to tackle this problem. That is the way we have to look at it; we cannot just come at it from one angle but from a number of levels.

These measures are paying off. Since the inception of the contraband tobacco enforcement strategy in 2008 and up to May 2012, the RCMP has laid approximately 4,925 charges under the Excise Act, 2001, and disrupted approximately 66 organized crime groups involved in the contraband tobacco trade throughout Canada. Again, this is paying off.

There is still more work to be done, but we can see that the RCMP is able to target, intercept and stop this activity. What they need now is an ability to charge under the Criminal Code and to have mandatory minimum sentences for repeat offenders and those who are trading in large quantities of tobacco.

Government Orders

During that time period that I mentioned, approximately 3.5 million cartons or unmarked bags of cigarettes were seized nationally by the RCMP, along with numerous vehicles, vessels and property. Those numbers are staggering, when we think that that number of cigarettes is being sold illegally, getting into the hands of our children, sometimes tainted with who knows what, as my colleague has mentioned. There are so many problems surrounding contraband tobacco. We can just look at the numbers: 3.5 million cartons sized by the RCMP.

We are proud that the strategy is having an effect. Again, we believe that this bill will just add another layer of strength to the contraband tobacco enforcement strategy.

Taken together, these initiatives are having a measurable and positive impact on reducing the contraband tobacco market. It is clear that the illicit tobacco market is dominated by criminal organizations, motivated by the lure of significant profits and relatively low risk.

Enforcement actions are therefore directed at increasing the risks associated with contraband tobacco activities, dismantling illegal manufacturing facilities, disrupting the supply lines, apprehending key figures, confiscating conveyances such as trucks and boats, and seizing the proceeds of crime. Again, it is a whole strategy where, piece by piece, law enforcement can take apart the organized crime element of the contraband tobacco activity. These actions will achieve a disruption in the flow of illicit tobacco and weaken the organized crime groups involved in the production, distribution, smuggling and trafficking of contraband tobacco.

To achieve these goals, the RCMP has engaged in joint targeted initiatives with law enforcement partners and other stakeholders across Canada and even, as mentioned earlier, internationally. These initiatives range from short-term to long-term investigations, from simple to complex, and include varying awareness campaigns.

While we do recognize we have made gains, we also do realize that as legislators we need to do more. We need to make sure that Bill S-16 passes, that criminal activity is indeed targeted, and that there are mandatory minimum sentences associated with organized crime for individuals who are trafficking large quantities of contraband tobacco.

I move:

That this question be now put.

•(1250)

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I want to thank the parliamentary secretary for her speech.

The NDP and I recognize that cigarettes and contraband cigarettes are a scourge. We have seen some disturbing statistics on the rise in this type of trafficking.

However, the Excise Act, 2001, and the Criminal Code already cover all these offences. Bill S-16 seems to be redundant.

I would like to know why the government decided to introduce Bill S-16 instead of reviewing and enforcing the comprehensive laws

that are in effect, such as the Excise Act, 2001, and the Criminal Code. What is the motivation behind Bill S-16?

[*English*]

Ms. Candice Bergen: Mr. Speaker, currently under the Excise Act, there are limitations whereby charges can be laid and penalties can be imposed. When Bill S-16 passes, for example, even if there were 10 Excise Act convictions in an accused person's past, if there were no prior Criminal Code convictions, a mandatory minimum penalty could not be sought.

That is why this law is important. If somebody is trafficking or in possession of not just small amounts, but large quantities of tobacco, as I laid out in my speech, and it is clear that they are trafficking large quantities, under the new law a new provision would be within the Criminal Code that would allow for further penalty.

I want to let my hon. colleague know about the other thing it would do. The Excise Act right now is a federal act, so it could be implemented federally, but the provinces are limited and provincial law enforcement has limitations. When we have this specific and very tailored offence and we make sure that it is not an overly draconian penalty, it gives provincial law enforcement officials an extra tool. They can still charge under the Excise Act if they see it is fitting, but they would now have the Criminal Code as well.

•(1255)

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I think all of us in the House have had contact with people, whether family, friends or co-workers, who have struggled with or are struggling with an addiction to tobacco. I think all of us want to do what we can to minimize the possibility of that addiction.

It is obvious from the research that many times the people who are addicted, some of whom have overcome it and some of whom have not, have been caught very early in life. I felt that one statistic that my colleague shared was very important, and I would just like her to repeat the percentage of cigarettes that are found on high school grounds. A very high percentage of the butts there are from contraband tobacco.

I wonder if she could just repeat that statistic, because I think it indicates the seriousness of the situation and the importance of our taking action on this matter.

Ms. Candice Bergen: Mr. Speaker, my colleague makes a very valid point. I know this from my own family experience. I actually lost a sister to lung cancer. She smoked for 35 years and she started as a young teenager. Sadly, the majority of people who are addicted to cigarettes today and want so badly to quit started as very young teenagers. They probably thought they would just try it out and never really continue, but as we know, it is an incredibly addictive substance.

The statistic that my colleague was referring to was a study that was done in Ontario and Quebec. In Ontario a full third and in Quebec 40% of all cigarette products used in high schools were contraband tobacco. Again, we are not talking about adults; we are talking about people in high school.

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This is not just an issue of young people buying cheap cigarettes or, as I said, family members buying other family members cheap cigarettes when they go across the border or getting them within Canada. This is a much larger problem.

The other issue, which is something we are finding out more about, is that because these cigarettes are produced illegally, we do not even know what is in them. We already know just how poisonous and harmful basic cigarettes are when they are produced legally; illegally produced tobacco products are laced with all kinds of additional dangerous things that we have absolutely no way of controlling.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I would like to follow up on the member's speech and pick up on a line of questioning I put to my colleague from Montreal earlier. This is an important bill because it would deal with a very serious problem. In my community, I have been lobbied, as I have said before, by retailers, the local RCMP detachment and community policing, but, from our perspective, it is important to remember that this has to be in concert with other activities.

I would like to ask the member if she could explain to the House a few things. How does the government contemplate messaging out to Canadians? We have seen very serious cuts in anti-smoking and smoking cessation campaigns and publicity in Canada since the arrival of the government. We have seen cuts in support for a number of community activities to engage our kids when it really counts, between the ages of 8 and 12, before they start to smoke or perhaps make even worse choices.

How does the government foresee going forward on dealing with a contraband issue, which is serious? How is it going to message out and increase the understanding and information in Canadian society so folks do not begin to smoke in the first place and do not participate in the purchase of contraband materials?

• (1300)

Ms. Candice Bergen: Mr. Speaker, although I appreciate the question, there are a number of facts that the member has wrong.

Let me begin with the basics. Our government has increased and sustained the transfers to the provinces. The provinces are primarily responsible for health care, as well as education. When we talk about young people being educated at the local level, we are the government that did not cut transfers to the provinces but increased them.

On another level, our government introduced new warning labels on packages of cigarettes and little cigars, which contain a quit line phone number and a website for people who want help to quit smoking. It was also our government that banned flavoured little cigars, which were clearly targeting young people.

Again, this is a multilevel approach and strategy that we have endeavoured to take. Our government has provided \$20 million for the contraband tobacco strategy and increased funding to the provinces so they can do their work in terms of health care and education. Legislatively we are providing this bill, as well as other measures, to combat contraband tobacco, as well as a 50-member RCMP task force.

Today, we are talking about the issue of smoking, but this bill definitely targets contraband tobacco and organized crime activity. As much as I appreciate the member's questions, our federal government has taken the strongest leadership position in legislation, funding and real measures that help people know the dangers of smoking.

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I thank the parliamentary secretary for her speech. We agree that contraband tobacco is a scourge that must be addressed. The parliamentary secretary mentioned certain issues related to public safety and the health of young people.

I would like to raise the following point. The National Assembly of Quebec conducted a study and in its February 2012 report recommended that the Government of Quebec create a joint commission involving five parties, namely the governments of Quebec, Ontario, Canada and the United States as well as the Mohawk nation, to fight contraband tobacco. The report also called for an action plan that would deal with, among other things, a win-win agreement between the government and aboriginal governments to stop the large-scale tax-exempt sale of tobacco to non-aboriginal people. I would like to know whether the government is consulting with first nations, among others, and with aboriginal people, to tackle this problem.

[*English*]

Ms. Candice Bergen: Mr. Speaker, when we established the task force for combatting contraband tobacco, we engaged all sectors such as aboriginal communities, law enforcement and convenience store owners. I met with a number of them just the other day. On first nations reserves, contraband tobacco is a problem, the organized criminal activity aspect of it, as well as what I just mentioned, the health part with regard to addiction to cigarettes.

[*Translation*]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I would like to begin by saying that I will be sharing my time with the hon. member for LaSalle—Émard.

Unfortunately, time is short. I will not make use of the privilege of making a 20-minute speech. That way, any of my colleagues who so desire will have the opportunity to talk about this bill by expressing their concerns about or their support for the positive aspects of Bill S-16.

The use of time allocation motions has been a real tragedy in our democracy during the 41st Parliament. This bill addresses a very important issue that affects society in many ways. It is a public health, tax collection and major crime issue. It is truly appalling that the government is so foolishly restricting our attempts to put forward constructive proposals in order to stimulate debate and potentially improve this bill, if needed.

This debate is all the more necessary because Bill S-16 is designed to amend sections of the Criminal Code, which is not a bad thing in and of itself. Quite the opposite, actually.

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This bill comes to us from the Senate, not from the Minister of Justice, which would have been logical and certainly preferable. The government's approach is very questionable and does not help us in our work. It raises questions about the government's motivation and about what it is hoping to achieve by introducing this bill.

I am not denying that it is good to be able to use this bill to discuss this issue. However, is Bill S-16 the best way to fight contraband tobacco? Unfortunately, this bill raises more questions than it answers.

Just a few weeks ago, we celebrated the two-year anniversary of my short career here in the House. During my time here, I have had the privilege of being the critic for small business and tourism, for one.

There is no denying that contraband tobacco, in addition to being a criminal activity and a real threat to our society, is a very serious problem that threatens the profitability of many small businesses.

Often, these businesses are owned by just one person who has a similar status to an employee. These business owners, who may have one to three employees, are just trying to earn an honest living.

These small business owners shoulder almost all of the responsibility for the business and they often do not make very much money, particularly in the first few years after they start or acquire the business. Absolutely anything that reduces their profit margin poses a very serious threat to their business. It can make the difference between earning an honest living or the business failing or going bankrupt. We hope that many of those businesses avoid bankruptcy, but there are motivated entrepreneurs who are prepared to enter the business world whose businesses fail and disappear. That is just how it works.

All small convenience-store-type businesses make a lot of money from tobacco sales. They can make a bigger profit from tobacco than they can from many other products. A significant drop in the sale of tobacco products seriously cuts into the profits of these types of businesses.

● (1305)

I think that we can quite easily reach a consensus with the government on this issue. In fact, we are in favour of any measures that support small businesses, as long as the government gives us the opportunity to present our arguments and suggest improvements that will allow us to address the challenges associated with the fight against contraband tobacco.

I would like to focus on a very questionable aspect of this bill. I had the great privilege of being a member of the Standing Committee on Justice and Human Rights for a time and helping the committee examine bills, particularly private members' bills that amended provisions of the Criminal Code. Unfortunately, these private members' bills too often failed to meet their objectives. As part of the study of these bills, we often heard witnesses strongly declare that the proposed measures, despite their good intentions, would not help the situation and could even make it worse.

The aspect of the bill that I seriously question is the mandatory minimum sentencing for various types of offences. I hope that this

will be examined in more detail by the Standing Committee on Justice and Human Rights.

I would like to talk about the testimony of former Supreme Court justice John C. Major, who appeared before the committee. As a very experienced and learned legal expert and a former member of the Supreme Court, Justice Major was in a position to correctly assess the pertinence, usefulness and effects of mandatory minimum sentences. I do not wish to repeat everything he said, but he did conclude that there was no conclusive evidence that mandatory minimum sentences are a deterrent and of any real use.

In fact, Justice Major, and other witnesses as well, said that, in the complex and subtle mechanism of court proceedings, the fact that there are mandatory minimum sentences could even be an incentive for the parties in question. In fact, the prosecutors and the defence attorneys could come to an agreement to avoid this type of measure with the judge's agreement, simply because it would not allow for any room to manoeuvre in a criminal case.

It does go quite far. In the end, it would be detrimental to the work done in the justice system to enforce the Criminal Code. This will become apparent in the coming years, if we are not already seeing it in certain cases. This very serious consequence deserves to be studied in depth. In my opinion, it is the most debatable aspect of this bill.

I urge government members to seriously consider, question, or at least take the time to assess the adverse effects of mandatory minimum sentences. If we should continue down this road, we will at least understand how this can usefully be applied to fighting crime related to the illegal trafficking of tobacco.

● (1310)

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I thank my colleague for his speech. He touched on some very interesting points that are important to me as well.

He spoke about mandatory minimum sentences and the impact they have, and he also spoke about the impact that contraband tobacco has on small and medium-sized businesses. We are actually talking about small and very small businesses. I am sure he has those in his riding.

Could he speak more about those two points he raised in his speech?

Mr. Raymond Côté: Mr. Speaker, I thank my colleague from LaSalle—Émard for her question.

Starting up a business is always a challenge. However, competition is very tough for small businesses in this type of traditional sector. There are also a large number of factors that can cut into profitability. My colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup can attest to that. He is currently working on the issue of fees associated with credit card reward programs.

The huge fees prevent these small businesses from predicting costs and profits. Their sales figures can be undermined by lower revenues from the sale of tobacco products, which still has a good profit margin. There are two very different types of risks here, which makes things extremely complicated for small business owners.

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• (1315)

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, the government boasts about wanting to combat organized crime involved in contraband cigarettes. It may want to pass a law to punish people who are caught smuggling cigarettes, but in general, the leaders of organized crime groups do not get their hands dirty. We would have liked to know what this government, which boasts about being tough on crime, will do about the Mafia leaders who are currently praying in church for this government to be re-elected, since the government is making their lives so much easier by making cuts to the budgets of the Royal Canadian Mounted Police and Canada's correctional services.

I would like to know how this bill will protect us from these major criminals, the people who lead organized crime groups. What would be appropriate measures and budgets to go after these people who have created a state within a state?

Mr. Raymond Côté: Mr. Speaker, I thank my colleague from Marc-Aurèle-Fortin for his heartfelt speech, which echoes the words of our colleague from Compton—Stanstead. This member spoke about the border services' lack of resources to combat contraband tobacco.

To answer my colleague, quite frankly, I really do not see how this bill would enable us to touch those famous Mafia bosses.

The other thing that bothers me is that the government is vastly undermining our capabilities. For example, I spend a lot of time on the road travelling to the Hill. The trip takes me 4 hours and 30 minutes. The best way to combat speeding on our roads is not to enact tougher laws, but rather to station patrol cars on the side of the road. This is when everyone starts hitting the brakes.

In short, it is obvious that the problems are not primarily related to legislation. Legislation can result in significant progress in regard to the bosses and large-scale organized crime. However, the much bigger problem lies with the resources allocated to carry out investigations in order to enforce the law as it is.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, cigarettes are a scourge. There is no doubt about that. They are a health hazard and lead to serious addiction.

Over the years, measures have been taken to control tobacco as much as possible and to dissuade people from taking up smoking. As some of my colleagues mentioned, very young people will start smoking despite all of the warnings, and they will often be far more affected by their dependence on cigarettes.

The NDP also recognizes that contraband cigarettes—the illegal sale of cigarettes—is also a scourge because they are often sold for less and can encourage new smokers and young smokers. Contraband cigarettes help perpetuate the negative impact of smoking.

I have the honour and privilege of representing the riding of LaSalle—Émard, which is on the Island of Montreal, in Quebec. There are a large number of convenience store owners in my riding. I had the opportunity to meet with the convenience store association, whose members are feeling the economic impact of contraband cigarettes. That is what is so paradoxical about this product, which is such a health hazard. The government is making money off it and trying to control it at the same time. Convenience store owners are

feeling the economic impact of contraband cigarettes. Quebec and Ontario are often affected.

Documents provided by the Library of Parliament indicate that, under current laws, namely the Excise Act, 2001 and the Criminal Code, cigarette seizures by the RCMP have been increasing over time. There has been a tremendous increase. The number of seizures was quite low between 2001 and 2004, and then it suddenly skyrocketed.

The legislative summary suggests that law enforcement priorities may have played a role as well. Trafficking in contraband cigarettes has increased significantly and not just Canadian cigarettes, but imported cigarettes as well. Under the current regime, the RCMP can already make major seizures. We can see that in the statistics in the chart, which is very clear and quite graphic. Dealing with this scourge was a priority.

We must debate Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco), which is also called the Tackling Contraband Tobacco Act. This bill originated in the Senate and seeks to create a special provision on contraband tobacco. Again, I am not denying the fact that this is a scourge and that we must deal with it here in the House. However, I want to talk about the laws currently in effect to deal with this problem. Under the current legislative regime, RCMP seizures have gone up.

• (1320)

We saw that tackling contraband cigarettes may have been made a priority. That is why I am puzzled. I am not saying that I do not support Bill S-16, but I am wondering about the measures already in place that seem to be doing the job.

As I mentioned, the Excise Act, 2001, is in effect and we also have the Criminal Code.

Charges under the Criminal Code may include, but are not limited to: fraud, conspiracy, conspiracy to commit offences, participation in activities of criminal organization, and possession of property obtained by crime.

Under the Excise Act, 2001, the offences are:

...selling, offering for sale, purchasing or possessing unpackaged or non-stamped raw leaf tobacco (section 30) and the possession, sale or offering for sale of tobacco products that are not stamped (section 32), both of which are "hybrid offences".

The Excise Act, 2001, already provides specifics that truly tackle the illegal sale of tobacco.

We are still talking about the enforcement and impact of Bill S-16. The legislative summary goes on to say:

Criminal enforcement under the Excise Act, 2001 may be carried out by "any police force in Canada" that is designated according to certain conditions. It appears that the RCMP is the force designated as such. In comparison, all police forces may enforce Criminal Code provisions.

This covers quite a bit in terms of the enforcement and impact of existing legislation.

The parliamentary secretary also talked about something mentioned in the legislative summary:

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The Standing Senate Committee on Legal and Constitutional Affairs submitted observations with its report on the bill, suggesting that the government consider providing provincial police with enforcement powers under the Excise Act, 2001, as well as under the Customs Act.

Once again, this is about problems related to enforcing the law.

I would like to share an interesting example. It is important to understand that a number of stakeholders are involved in enforcing this law. However, a number of stakeholders also find themselves on the other side of the law, that is, breaking the law.

Coming back to the legislative summary, it states:

For example, in the Cornwall area, there are various efforts such as joint investigative units and a task force to encourage collaboration between various enforcement organizations such as the RCMP, the Canada Border Services Agency, the Ontario Provincial Police, the Cornwall Community Police Service and the Akwesasne Mohawk Police Service.

In my opinion, that is a good example of co-operation between all stakeholders in order to enforce various laws that fight contraband.

In conclusion, I would like to point out that the NDP takes the problem of tobacco contraband in Canada seriously. I mentioned this in my introduction and I am saying it again now.

Tobacco contraband is a problem that affects health and public safety, tax revenues and the profitability of small businesses, as I already pointed out. For that reason, the NDP has asked the federal government to take action on this issue and to co-operate with the communities affected the most. That is very important.

• (1325)

The government must provide the necessary resources to the Canada Border Services Agency and the RCMP in order to properly deal with the problem because it is also an international issue.

Unfortunately, as we saw in the most recent budget, the government did not. The cuts will hinder the fight against counterfeiting and contraband.

[*English*]

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I listened with great interest to my colleague's speech. I would really like to thank her for the wonderful work she does leading us in industry committee and as our NDP industry critic.

We on the west coast have some real concerns about counterfeiting, mainly because the port of Vancouver is the top entryway for contraband cigarettes in Canada and we have just eliminated the Coast Guard station there. Now we have no Coast Guard presence at all monitoring these ships that are coming in.

We are supporting sending the bill to committee to look at this issue. I would like to ask my colleague how, in light of these facts, we might expand our investigation here to include issues like Coast Guard presence on the west coast.

[*Translation*]

Ms. H  l  ne LeBlanc: Mr. Speaker, I thank my colleague, who does an excellent job as our science and technology critic. He raised a very important point about good intentions. Having good intentions is commendable.

However, we have questions about how the bill will be enforced. My colleague raised the point that contraband cigarettes are no longer a local issue, but that they have become national and international issues. How can we successfully tackle contraband?

I want to point out that it will be the same thing with Bill C-56, which deals with counterfeit goods, if we do not come up with measures to back up our plans.

• (1330)

Ms. Christine Moore (Abitibi—T  miscamingue, NDP): Mr. Speaker, I thank my hon. colleague for her speech. She began by calling tobacco use a real scourge. I have been a smoker for a very long time, many years in fact, and I regret ever starting. Right now, I have not had a cigarette in 10 days, and I hope to successfully quit.

I studied the bill and did not see any measures to address the issue of demand. When we talk about contraband, it is a question of supply and demand. If people continue to demand these products, others will produce them.

I would like to know if my colleague thinks the bill includes any specific measures to stop people from smoking or at least to ensure that there is no demand for contraband products. Does the bill contain any measures of a more social nature related to health, or is it a strictly justice-related or technical bill?

Ms. H  l  ne LeBlanc: Mr. Speaker, I thank my hon. colleague for the question.

She raised the issue of prevention. I agree that one of the problems is indeed supply and demand. She also mentioned the health aspect. As another member mentioned earlier, the federal government cut funding for anti-smoking programs.

This bill is more about simply amending the Criminal Code. However, we need to take a holistic approach in order to determine who is involved in this market on both ends—both the buying and selling. That is a very good point, and it also relates to our economy.

[*English*]

Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, I am sharing my time with the very hard-working member for Wetaskiwin.

I am pleased to say a few words about Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco)

This bill contains a number of very important amendments to the Criminal Code aimed directly at the criminals who are flooding Canada with illicit tobacco products that undermine the Canadian economy, fuel addiction, and add to the already serious long-term health issues associated with smoking.

As we have heard, this is not the first time that Canada has faced the challenge of contraband tobacco. When the problem first arose some two decades ago, it had to do with our own legally manufactured and exported tobacco products being smuggled back into our domestic market at greatly reduced prices. Through a combination of tax policy and enforcement measures, we were able to stem the tide of this early onslaught of contraband tobacco.

Government Orders

Since then, the primary legislative vehicle for controlling this illegal trade has been the Excise Act. This legislation combines fines, jail terms and forfeitures to enforce the prohibition against selling tobacco products that have not been stamped. Stamping indicates that the excise tax has been paid. Unfortunately, despite this legislation and despite the efforts of dedicated law enforcement officials, contraband tobacco remains a serious threat to the public safety of Canadians, their communities and the Canadian economy.

Although there are several sources for the contraband tobacco products that are entering Canada, the illicit trade is driven largely by illegal operations run by criminal organizations in both Canada and the United States. In this regard, the provinces of Ontario and Quebec have the highest concentration of illegal manufacturing operations, the majority of the high-volume smuggling points and the largest number of consumers of contraband tobacco.

In response, the government launched the RCMP contraband tobacco enforcement strategy in 2008 with a focus on reducing the availability and demand for contraband tobacco and on weakening the involvement of organized crime in this illegal industry. At the same time, the task force on illicit tobacco products was formed to identify concrete measures to disrupt or reduce the trade in contraband tobacco. The next year, the task force presented a lengthy report to the Minister of Public Safety in which it noted that at least 30% of Canadian tobacco purchases involved contraband tobacco.

One of the primary drivers of this illicit trade, aside from the willingness of consumers to pay markedly reduced prices, has been the shift from single individuals or small groups conducting sporadic smuggling to organized crime groups doing the smuggling and distributing the illicit tobacco through their criminal networks.

Clearly, the time has come to take steps to come to grips with the growing nature of this illegal activity and the growing involvement of criminal organizations whose related activities include the smuggling of other items into Canada using the same networks, which is particularly alarming.

This is the context in which we must evaluate Bill S-16.

Briefly, the bill is one part of a two-part response to the issue I have described. The first part is the bill itself. It proposes to amend the Criminal Code to create a new hybrid offence of trafficking in contraband tobacco, with mandatory minimum penalties for repeat offenders. The second part of the response is the implementation of a strengthened anti-contraband enforcement strategy that includes the establishment of an anti-contraband force made up of 50 RCMP officers. Both of these proposals respond to the 2011 election platform commitments of this government.

I will go into a bit more detail on exactly what is contained in Bill S-16.

First, the bill would create a new offence in the Criminal Code to deal with contraband tobacco trafficking. Indeed, the bill would prohibit the possession for the purpose of sale, offer for sale, or the transportation, delivery or distribution of a tobacco product, or raw leaf tobacco that is not packaged unless it is stamped. The terms "tobacco product", "raw leaf tobacco", "package" and "stamped"

have the same meaning as in section 2 of the Excise Act, 2001. This would ensure consistency in our national enforcement efforts.

Pursuant to these proposed amendments, the maximum penalty for a first offence would be up to six months' imprisonment on a summary conviction and up to five years' imprisonment if prosecuted on an indictment.

• (1335)

Repeat offenders, convicted of this new offence in cases involving 10,000 cigarettes or more, 10 kilograms or more of any other tobacco product or 10 kilograms or more of any raw leaf tobacco would be sentenced to a mandatory minimum term of imprisonment of 90 days on a second conviction, a mandatory minimum of 180 days on a third conviction and a mandatory minimum of 2 years less a day on subsequent convictions.

The amendments proposed in the, appropriately titled, tackling contraband tobacco act would not only respond to our domestic problems but would equally respond to the broader international efforts to combat trafficking in tobacco. Let us recall in this context that tobacco smuggling by definition means the illegal movement of goods over national frontiers. Tobacco smuggling is a particularly widespread illegal activity and has an impact on a great number of countries. Thus, Canada is not alone in wanting to put an end to this illicit commerce.

In any attempt to combat organized crime's involvement in tobacco smuggling, one must recognize that organized crime adopts all forms of corruption to infiltrate political, economic and social levels all over the world. This issue has been addressed at both global and regional levels and continues to receive substantial domestic and international attention.

The international community has adopted many international instruments dealing with criminal law. These international agreements attest to a country's recognition of the need for international co-operation to tackle international crime. One aspect of international co-operation that is repeatedly found in these instruments deals with mutual legal assistance. This form of international co-operation is one of the most powerful tools employed by governments to reduce the incidence of international crime.

Therefore, not only does tobacco smuggling necessarily contain an international dimension, one that sometimes involves several countries and the crossing of several borders; it also involves, as our own law enforcement representatives have informed us, significant organized crime group participation. Bill S-16 would not exist in isolation. While this new legislation would help Canada combat tobacco smuggling, it would also help us combat tobacco smuggling and organized crime outside our own borders, not just in Canada alone.

In closing, I thank hon. members for their attention and urge them to consider the broad context in which Bill S-16 must be assessed. Once they have done that, I am convinced they will agree with me that this bill ought to be passed and implemented without delay.

Government Orders

● (1340)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, in the context of contraband tobacco, forgive me, but every time someone mentions organized crime I tend to think of the tobacco industry as organized crime, having lost my grandfather to lung cancer at a time when cigarette companies advertised tobacco as safe and recommended by doctors despite the U.S. surgeon general's warning.

However, in this case, we know we are fighting contraband tobacco, and the bill would be helpful. However, I am concerned about some aspects of it, and I wonder whether the hon. member thinks there will be room for amendments in committee.

Mr. Patrick Brown: Mr. Speaker, I am not on the committee dealing with this bill, but I know these bills get looked at very seriously in committee.

I would agree with the hon. member on her concern about the importance of combating the dangers associated with tobacco. That is why, with the five-year renewal of the federal tobacco strategy in 2012, Health Canada will continue its very dedicated work on tobacco control initiatives that are aimed to preserve the gains we have made in the last 10 years, which are quite significant.

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, I am glad to rise in my place today and speak to this legislation. I would like to thank my colleague the member of Parliament for Barrie for sharing his time with me, for his excellent speech and for his support of the bill.

I rise to speak in favour of Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco). This enactment proposes amendments to the Criminal Code to create new offences for trafficking in contraband tobacco and to provide minimum penalties of imprisonment for persons who are convicted of a second or a subsequent time for this offence.

This legislation would prohibit possession for the purpose of sale or offer to sale, the transportation of or the delivery or distribution of a tobacco product or raw leaf tobacco that is not packaged, unless it is officially stamped. The terms "tobacco product", "raw leaf tobacco", "packaged" and "stamped" have the same meanings as in section 2 of the Excise Act, 2001.

The maximum penalty for a first offence would be up to six months' imprisonment on summary conviction and up to five years' imprisonment if prosecuted by way of indictment. Repeat offenders convicted of this new offence in cases involving 10,000 cigarettes or more, 10 kilograms or more of any other tobacco product, or 10 kilograms or more of raw leaf tobacco would be sentenced to a minimum of 90 days on second conviction, a minimum of 180 days on a third conviction and a minimum of two years less a day on all subsequent convictions.

Overall, the proposals represent a tailored approach to the imposition of mandatory minimum penalties for serious contraband tobacco activities. The bill proposes mandatory minimum penalties only in cases where there are certain aggravating factors present.

Trafficking in contraband tobacco is a serious problem that requires serious remedies. As some members will recall, a contraband tobacco market became a significant issue in Canada in the late

1980s. During that period, more and more legally manufactured Canadian cigarettes destined for the duty-free market began making their way back into the Canadian underground economy. The high retail price of legitimate cigarettes made the smuggling of cigarettes across the border a striving and lucrative illicit business.

The Royal Canadian Mounted Police and Canadian customs seized large quantities of contraband tobacco. The RCMP was also engaged in investigating this illegal activity at its source. These investigations eventually led to several tobacco companies having to pay more than \$1.5 billion in criminal fines and civil restitution.

While this type of smuggling activity largely has subsided, the illicit tobacco market in Canada has rebounded in recent years, involving contraband tobacco that is primarily connected not to the diversion of legally manufactured products but to the illegal manufacture, distribution and selling of contraband tobacco products. It also includes to a lesser degree the illegal importation of counterfeit cigarettes and other forms of illicit tobacco from abroad.

Organized crime groups play a central role in the contraband tobacco trade in Canada, and this means that this illegal activity is linked with other kinds of crime. Most of the organized crime gangs that are involved in the illicit tobacco market are also active in other forms of criminal behaviour.

The problem is further complicated and exacerbated by the fact that some of the illegal manufacturers that supply the Canadian market are on the U.S. side of the Akwesasne Mohawk territory, which spans the border between Quebec, Ontario and New York state.

Members should know that transnational crime of the type found in contraband tobacco smuggling is considered a threat to public safety and national security and has a direct impact on individual Canadian businesses and our economy. It also has implications for relationships with our international partners, especially the United States. In this regard, however, Canada and the U.S. share a long history of law enforcement co-operation across our shared border.

Contraband tobacco is driven largely by illegal operations on both sides of the border. The provinces of Ontario and Quebec have the highest concentration of contraband tobacco manufacturing operations, the majority of high volume smuggling points and the largest number of consumers of contraband tobacco.

● (1345)

Criminal organizations are motivated by the lure of significant profits and relatively low risks in this sphere of illegal activity. Enforcement actions are, therefore, directed at increasing the risks associated with contraband tobacco activities: dismantling illegal manufacturing facilities, disrupting distribution supply lines, apprehending key figures and individuals, confiscating conveyances such as trucks and boats, and seizing the proceeds of crime. These actions have the dual goals of disrupting the illicit flow of tobacco and weakening the organized crime groups involved in the production, distribution, smuggling and trafficking of contraband tobacco.

Government Orders

To achieve these goals, the RCMP has engaged in joint targeted initiatives with law enforcement partners and other stakeholders across Canada and even, as mentioned earlier, internationally. These initiatives, varying in their degree of complexity, include short- and long-term joint investigations, outreach and awareness campaigns and active participation in inter-agency contraband tobacco task forces and groups. Unfortunately, contraband tobacco remains a serious threat to our communities, and if left unchecked, organized crime will continue to profit at the expense of the health and safety of Canadians.

Recent intelligence indicates a rise in counterfeit tobacco products entering the Canadian market. These illegal products are then transported through nationwide networks for sale to consumers as a cheaper alternative to legitimate tobacco products, thereby making them more accessible to Canadian youth.

Protecting society from criminals is a responsibility our government takes very seriously. Overall, the proposals represent a tailored approach to the imposition of mandatory minimum penalties for serious contraband tobacco activities. This bill proposes minimum penalties only in cases where there are certain aggravating factors present.

This bill is part of the government's continued commitment to take steps to protect Canadians and to make our streets and communities safer. Canadians want a justice system that has clear and strong laws that denounce and deter serious crimes, including illicit activities involving contraband tobacco. They want laws that impose penalties that adequately reflect the serious nature of these crimes, and this bill would achieve that.

I encourage all of my colleagues and members on each side of the House to fully support Bill C-16. It is high time we made this the law of the land.

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I would like to thank my colleague for his speech, and I commend him for it. As was already mentioned, the NDP will support this bill at second reading.

I am still wondering about how effective the bill will be and what impact it will have on the tax evasion associated with contraband cigarettes in Canada, which deprives the government of over \$2 billion in tax revenue a year.

I would like my colleague to share his thoughts on that.

• (1350)

[*English*]

Mr. Blaine Calkins: Mr. Speaker, I appreciate the question that is being asked. In my riding, there are a lot of great folks who live on first nations territory. Some time ago, a seizure was made at one of the bands, where 14 million contraband cigarettes were seized on that reserve. This particular group of reserves is quite notorious across Canada, sometimes for good reasons but also sometimes for bad reasons, with its links to organized crime. The Alberta government stepped in and confiscated this illegal tobacco due to the fact that it did not have a provincial stamp, which resulted in a loss of revenue in just that shipment alone of several million dollars of taxes that should have been collected.

This is a very serious issue. We cannot have a situation where there are two different streams, one of contraband and one of a legal flow of goods and services in this country. Not only is the contraband not a healthy choice and not inspected by the appropriate authorities, but it evades the taxes that are duly imposed upon these goods in order to address the serious issues that we have as a nation.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, the member addressed some of the issues relating to contraband tobacco—the criminal element, the tax evasion element and the negative health aspect—but the one aspect that I am sure my colleague is even more familiar with than most of us in the House, because of his former occupation in the education field, is the impact on youth. Many of us have witnessed the addictive qualities of tobacco. The earlier youth are introduced to tobacco, the greater the likelihood they will not be able to get rid of this addiction later in life. Research clearly shows that the large majority of tobacco that is smoked on college and high school campuses is of a contraband nature.

I am wondering if my colleague could comment on how serious it is that we take action on this now.

Mr. Blaine Calkins: Mr. Speaker, the Government of Canada and the Minister of Health and others have taken several measures on this side of the House, in particular, to deal with these issues. For example, when it came to clarifying the tobacco laws on adding flavours or other types of things that would be an enhancement or an inducement to young people, or making the packaging look like gum or candy cigarettes, these were dealt with on this side of the House.

We have had active education campaigns to ensure that Canadians understand the risks to health and the dangers from smoking. These are some of the initiatives we have done. We have also changed the labelling on cigarette packaging to clearly indicate the health concerns, making it less attractive for Canadians, especially young Canadians, to go down the road of even starting smoking.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am opposed to tobacco addiction as much as anybody else, and I appreciate the member's comments.

However, are we into the new normal here now? The Senate passes legislation. It has the whole process, then it comes here. We have one hour of debate, and then closure is called. We are the rubber stamp for the other place. Is that the new normal the government is taking on?

Mr. Blaine Calkins: Mr. Speaker, the fact that the member stood and asked me a question in the House is a clear indication that the member has an opportunity to voice his opinion on the bill.

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I would first like to indicate that I will be sharing my time with the excellent member for Churchill, who is a great MP, by the way.

Statements by Members

At first glance, this bill, which seeks to amend the Criminal Code and tackle contraband tobacco, appears to be a small bill that amends a provision of the Criminal Code. However, rather than addressing the real problem and focusing on prevention, the bill once again amends the Criminal Code in order to make the justice system stronger. This is a very noble cause or objective. However, the problem is that every time the government wants to address a problem, rather than allocating more financial, material and human resources to the organizations that are actually doing the work in order to address the real problem, it amends one or two sections of the Criminal Code and leads people to believe that these measures will solve all of the problems and that everything will be fine as a result.

I do not believe that solving the problem of contraband tobacco is that easy. We are talking about first nations, but contraband tobacco is a problem all across the country. Illegal cigarettes are flooding the market, and our young people are being shamelessly targeted by false Internet advertising. Why do we not pass similar legislation to deal with these ads?

It is so easy to go online and order illegal cigarettes, which come from all over the world and are often made by children who work in atrocious conditions. The cigarettes end up on the market. What impact will this have on the health of our young people?

Most of the provinces have extremely effective programs to combat smoking among young people. The federal government is trying, once again, to follow suit by investing in prevention. Prevention should take place at schools and in the schoolyards, but it also requires leadership. Our leaders need to take charge of the situation and send a clear message to the public that tobacco use is harmful to health.

Illegal tobacco is harmful to our health and also to our economy. Every year, contraband in Canada causes us to lose more than \$2 billion in taxes. We must set aside financial and physical resources, since smuggling is going on in our waters, such as Lake Champlain, Lac Memphrémagog, the St. Lawrence River and the Great Lakes. The Canada Border Services Agency and the RCMP do not have the physical resources they need to catch smugglers. They need resources on the ground or else they will not be able to fight crime.

The Canada Border Services Agency is not inspecting packages because of an apparent lack of resources, time and personnel. How is that possible? It is unacceptable in a society like ours. This government brags about creating 1 million jobs. Give me a break. It cannot have created 1 million jobs, because we see no real evidence of that. Instead, what we see is that this government is ineffective and does not take action. Day after day, it makes investments in the wrong places.

Prevention starts with our young people. We need to encourage them to play sports, read books and visit libraries and museums. Not museums that the Conservatives have modelled around their own ideology, but museums that provide an accurate portrayal of history. We must get them interested in things that will help develop their minds and that will open them up to the amazing opportunities and possibilities available to them as citizens of a country as rich and developed as ours.

● (1355)

As I said, we must take action and show leadership, and this leadership must start at the top.

The Acting Speaker (Mr. Barry Devolin): The time provided for government orders has expired. The member for Compton—Stanstead will have five minutes remaining after oral question period.

STATEMENTS BY MEMBERS

[English]

PORTUGAL WEEK

Mr. Chungsen Leung (Willowdale, CPC): Mr. Speaker, this week Canadians of Portuguese heritage all across the country are celebrating Portugal Week. From coast to coast to coast, there will be festivals, parades, folk dances, sporting events and many community gatherings.

This is a week to celebrate and recognize Portuguese cultural and historical heritage, which has been a part of Canada since the discovery of Labrador by Portuguese explorers more than 500 years ago. Making this year's festival even more special is the fact that this is the 60th year of large-scale Portuguese immigration to Canada.

The Portuguese community is well established and well integrated across the country, particularly in my hometown of Toronto, and in Montreal.

On behalf of our Conservative caucus, I want to thank all Canadians of Portuguese heritage for their contribution to our country. I wish them all a happy Portugal Week.

[Member spoke in Portuguese]

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● (1400)

STUDENT CIVIC ENGAGEMENT

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, as the school year comes to a close, I would like to take this opportunity to acknowledge the wonderful work being done by students in my constituency.

These bright and promising young minds are discussing and promoting action on a vast array of important issues at both the local and federal levels, issues ranging from traffic congestion in my community to the Conservative government's inaction at the UN on the issue of violence against women, on the environment and all.

I want to personally thank the students of Princess Margaret Secondary, North Delta Secondary, Tamanawis High School, Seaquam Secondary School, Delview Secondary School and many others for their civic engagement.

I believe that our democracy is enriched by their participation and involvement in the political process.

It is my pleasure to be the representative of these wonderful young people in Parliament and to have discussed these prominent issues with the students in my constituency. I want to thank them.

HUMAN TRAFFICKING

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I am proud of Canada's leadership in combatting human trafficking.

Yesterday, I returned from leading the Canadian delegation, on behalf of the Minister of Foreign Affairs, at a high-level conference focused on anti-human trafficking efforts in Kiev, Ukraine.

I would like to thank Ukraine and the Organization for Security and Co-operation in Europe for hosting this conference. Canada commends Ukraine for making the fight against human trafficking one of its priority areas in 2013.

The OSCE's area of work that covers human rights, democratic development and rule of law is a key priority for Canada. I was pleased to represent Canada and collaborate with experts from across the OSCE region and to share Canada's best practices in the fight against modern day slavery.

In fact, I was delighted to share that one year ago our government launched its national action plan to combat human trafficking. Our government will continue to lead by example and take comprehensive measures to end slavery in our country and abroad.

* * *

CRAFT SECTOR IN CAPE BRETON

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, I rise today to recognize Ms. Carol Beaton from Cape Breton.

Her contribution to the growth of the craft sector of our island cannot be overstated. She has been contributing to the growth of this industry for well over a decade. Her work ethic and success are truly inspiring.

Carol has spent many years as the executive director of the Cape Breton Centre for Craft and Design, and under her guidance the centre has grown tremendously.

In her time as director, the centre has expanded from two employees to ten employees. She brought the funds together to construct a 14,000 square foot building to allow artists to showcase and sell their work year round.

More than 78,000 people have visited this new centre since its opening in 2007. Carol's efforts have ensured the craft sector is a significant contributor to Cape Breton's economic and cultural infrastructure.

I urge all members to join me in congratulating Carol Beaton for her great work and wishing her all the best in her retirement.

* * *

PARLIAMENTARY PRECINCT SECURITY

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, on May 23, 1873, in this place, an act establishing what would be referred to as the North West Mounted Police was passed.

Sir John A. Macdonald had a vision that a national police force would be used to calm tensions in the west.

Today, the RCMP was called on to calm tensions in the east.

Statements by Members

Safety on Parliament Hill is paramount. The Leader of the Opposition apparently does not think so.

When a police officer turns on their vehicle's emergency lights, it means stop, not to go through stop signs.

Police officers are asked to do many things. One of the things they are not asked to be is be mind readers. If I were still a police officer and the Leader of the Opposition said, "Do you know who I am?" My reply to him would be, "As soon as you give me your driver's licence I will."

● (1405)

The Acting Speaker (Mr. Barry Devolin): Order. Before we continue with members' statements, I would remind all hon. members that the use of props is not acceptable in this House at any time. If members choose to use one, they will forfeit that speaking slot or possibly a question during question period.

The hon. member for Scarborough Southwest.

* * *

FATHER'S DAY

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, Sunday is Father's Day.

I rise with great pride to honour my father, David Harris, a French teacher at Donwood Park Junior Public School in Scarborough.

Thanks to the great staff at Donwood, the school is also watching us here today.

Being a single dad was challenging, especially with a kid like me. When I was growing up, he was always there, a stable rock who supported me through thick and thin. He showed me the value of hard work and following one's dreams when he went back to school to become a teacher.

My love of French, passion for politics, and my values all come from my dad.

He went the extra mile to make sure I had a relationship with my mom's family and a lot of time with our family, too. I could not have asked for a better dad.

His support through my five election campaigns cannot be measured. I am standing here in this House because of him.

I love him and want to say "thanks" to him.

I ask all members to join me in thanking my dad and all dads who have made such meaningful contributions to all our lives.

Happy Father's Day.

* * *

HUMAN RIGHTS

Mr. Parm Gill (Brampton—Springdale, CPC): Mr. Speaker, Canada is a tolerant and accepting nation, but the one thing that must never be tolerated is religious and cultural discrimination.

The decision by the Quebec Soccer Federation to ban Sikh kids from taking part in soccer for wearing a turban is outrageous and contrary to the values of equality that our nation holds dear.

Statements by Members

Directly because of this ban, over 200 Sikh kids are banned from playing organized soccer in Quebec.

The Canadian Soccer Association has suspended the Quebec Soccer Federation from all national games because of this ban.

I applaud those who have voiced their opposition to this unfair and offensive policy in the interest of fairness and equality, including the Dollard Soccer Club, the Pierrefonds Soccer Association, and the under-14 Brossard soccer team.

I would like to call upon all of my hon. colleagues to join with me in condemning this discriminatory policy by the Quebec Soccer Federation.

* * *

FIESTA WEEK

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, this week, in my home riding of Oshawa, we are celebrating the 39th annual Fiesta Week.

Over the past 39 years, Fiesta Week has been, and continues to be, one of the most popular summer events in Oshawa for people of all ages. It is a colourful celebration of the cultural diversity of Durham region and the city of Oshawa.

Fiesta Week allows Durham and Oshawa residents to experience European, Asian, and Caribbean cultures. Not only is it a great opportunity to experience these cultures, but it is also an opportunity to taste the wonderful cuisines from these regions. That is my favourite part.

This Sunday is the kick-off for Fiesta Week and the festivities will start with a parade.

Each year Fiesta Week continues to be an inspiring celebration of the cultural diversity of Oshawa.

I would like to take this opportunity to thank all the volunteers and the Oshawa Folk Arts Council for making this wonderful celebration possible.

I invite everyone to come and enjoy the fun and festivities.

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[*Translation*]

SAINT-YVES DE QUÉBEC PARISH

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, I would like to pay tribute to the 30 or so volunteers in the parish of Saint-Yves de Québec who form the refugee outreach committee.

The committee was established in July 1979 during the dramatic events surrounding the boat people from Cambodia, Vietnam and Laos. Since 1979, the Saint-Yves de Québec parish has welcomed 344 newcomers, including 64 who arrived in the last year.

Over the years, the Saint-Yves parish refugee outreach committee has sponsored refugees in distress, helped reunite families scattered by war and facilitated the integration of sponsored newcomers into Quebec society.

I want to sincerely thank and commend the volunteers with the refugee outreach committee of the Saint-Yves parish for their

immense generosity and the impressive quality of their outreach work, which has changed and continues to change life for the better for people in distress.

* * *

● (1410)

[*English*]

CITIZENSHIP AND IMMIGRATION

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, the NDP has reached a new low. It is defending the interests of terrorists rather than protecting law-abiding Canadians. The NDP has been instructed to try to block my private member's bill, Bill C-425, in committee and prevent it from moving forward.

Bill C-425 would strip convicted terrorists of their Canadian citizenship. Eighty per cent of Canadians support strong measures like this to combat terrorism.

The leader of the NDP and his party are completely out of touch with Canadians.

Our Conservative government is committed to strengthening the value of Canadian citizenship. We do not think convicted terrorists deserve the privilege of calling themselves Canadians.

I urge the leader of the NDP to stop trying to dilute the values of Canadian citizenship and standing up for the interests of terrorists, and let us move forward with my bill.

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THUNDER PRIDE

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I rise today to congratulate Thunder Pride on their 2013 community celebration that is taking place this weekend in Thunder Bay. Thunder Pride is the annual community celebration of diversity rights in northwestern Ontario and celebrates the history, courage, diversity and future of Thunder Bay's LBGTQ community.

Some great events are still to come this weekend, including the Pride Parade and Pride in the Park, a music festival taking place this Saturday. More information can be found on the web at thunderpride.ca. This event, along with the city of Thunder Bay's respect campaign, is a demonstration of the fact that a respectful community means that we see the value in different perspectives, histories and journeys.

I would like to thank and acknowledge the efforts of this year's co-chairs, Cynthia Olson and Scott Gale, who along with the countless number of volunteers and supporters, make this event such a great success each year.

In closing, I would like to wish Cynthia, Scott and the volunteers of Thunder Pride all the best for their great week of events.

I am sure I speak for all members of this place when I say that we are indeed proud to stand with them.

*Oral Questions***CITIZENSHIP AND IMMIGRATION**

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, when the leader of the NDP was not running stop signs and putting pedestrians at risk, he instructed his MPs to filibuster a private member's bill at the immigration committee for a third day now, potentially placing CF members at risk.

What could be so important that the NDP has decided to spend almost three days filibustering? The answer is that they are fighting so that convicted terrorists can keep their Canadian citizenship.

People heard me correctly. The NDP is fighting tooth and nail against stripping convicted terrorists of Canadian citizenship. The NDP is ignoring over 80% of Canadians who support the member for Calgary Northeast's bill, and instead is choosing to dilute the value of Canadian citizenship. The NDP has reached a new low and is showing yet again how out of touch its members are about what matters to Canadians.

I call on the leader of the NDP to stop these games, and at stop signs, and to let the immigration committee move forward with this bill so that we can strip Canadian citizenship from convicted terrorists. We know who he is.

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GOVERNOR GENERAL'S ACADEMIC MEDAL

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, the Governor General's Academic Medal, created in 1873 by Lord Dufferin to encourage and celebrate academic greatness by a student in a Canadian school, is awarded to the best and brightest, scholars such as Pierre Trudeau, Kim Campbell and Tommy Douglas. Award winners have gone on to be leaders in industry, science, and yes, government.

Today, Guelph proudly celebrates that its own Dr. Adriano Senatore will be awarded a gold medal for his Ph.D. graduate work. Dr. Senatore's work at the University of Waterloo on the evolutionary analysis of ion channels provided unexpected insights into their fundamental properties, and sheds more light on how neurons, muscle and other excitable cells function and how abnormal function can lead to disease in humans.

Adriano's brilliant work will no doubt contribute not only to Guelph, but to Canada's reputation as a great incubator for important research and researchers.

On behalf of all members in the House, I wish to extend my congratulations on his remarkable achievement.

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PARLIAMENTARY PRECINCT SECURITY

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, the nation's capital is not vice city, and the leader of the official opposition is not a Tara Reid, Reese Witherspoon, Rihanna, David Hasselhoff, or even Miley Cyrus, but maybe he is.

Despite his affection for *Grand Theft Auto*, the bearded bandit of Parliament Hill is not above the law. He can run, but he cannot hide. Perhaps the next time he arrives on Parliament Hill, he will yell out "You can't tell me what to do. I'm Snooki."

• (1415)

[*Translation*]

THE SENATE

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, the Liberals can openly plan a welcome back party for Mac Harb, who will single-handedly allow the Minister of Finance to eliminate the deficit a year sooner than planned, and the Conservatives can keep beating around the bush by carefully avoiding answering the real questions on the shenanigans of Nigel Wright and Mike Duffy, but what makes the NDP hopping mad is seeing these greedy people get rich on the backs of Canadians. We share in their anger when we see the old parties racking up scandals, just like the senators are racking up secondary residences. To make matters worse, they defend their unelected, unaccountable senator friends and cut them cheques for \$90,000.

Unlike the Conservatives, we will not leave our principles at home when we form the government. Instead of stacking the Senate with fundraisers, we will close its doors for good. Canadians deserve better. They deserve—

[*English*]

The Speaker: Order, please.

The hon. member for Peace River.

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CANADIAN VALUES

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, our government will not stop creating jobs for Canadians. We will not stop building a safer Canada. We will not stop promoting Canadian values around the world. We will not stop respecting law-abiding hunters and farmers. We will not stop standing up for Canada's north. We will not stop putting more money into the back pockets of hard-working Canadian families, but we will stop at stop signs.

ORAL QUESTIONS

[*English*]

ETHICS

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, the government claims—

Some hon. members: Tom, Tom, Tom.

The Speaker: Order. We are going to put this to a stop very quickly.

We do not have time for this. Parties will be losing questions if they do not come to order immediately.

Oral Questions

The hon. member for Hamilton Centre has the floor.

Mr. David Christopherson: Mr. Speaker, thank you. I appreciate the green light.

The government claims it does not have the \$90,000 cheque Nigel Wright gave to Senator Mike Duffy. They said it is not in the public interest to release it. They have also said they know this was a personal cheque. How do they know this was a personal cheque if they have not seen it?

After Nigel Wright told him about this payout, did the Prime Minister ask him for the cheque, and if not, why not?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I hate when the real NDP leader gets caught in traffic, but I guess that is the situation here today.

I would like to answer the NDP leader's real question from today. He asked the question, "Do you know who I am?" It turns out we do know who the leader of the NDP is. He ran through five stop signs today, as reported. He refused to pull over to the RCMP when they asked him to pull over. Then when he was finally confronted by an RCMP officer, he said to her, "Do you know who I am?"

From not paying their taxes to not pulling over for the RCMP, why is it that the New Democrats think they are above the law?

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, the Prime Minister has said that what Nigel Wright did was wrong. Considering this incredible lack of judgment by Nigel Wright, why are the Conservatives simply taking his word that this was a personal cheque? Does anyone over there have any evidence, any document, any proof at all that shows this was a personal cheque?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I very much appreciate my colleague from Hamilton raising the question of bad judgment and breaking the law. The NDP have demonstrated day in and day out in this House that they do not have the policies to govern Canada. Today, yet again, the leader of the NDP has made it very clear that he does not have the temperament to be the Prime Minister of Canada. He does not have that temperament.

Again, the simple answer to the member opposite's question is that if the NDP believes in accountability and responsibility, the leader should show up in the House and explain himself and why he broke the law today.

• (1420)

[*Translation*]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I have one simple question.

The cheque is the centrepiece of this scandal—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Halifax has the floor.

Ms. Megan Leslie: Mr. Speaker, I have a very simple question.

The cheque is the centrepiece of this scandal. It is possible that the money was paid into a trust account. It is also possible that the

cheque came with conditions attached. However, the Conservatives say they do not have a copy of the cheque.

We want answers. If Nigel Wright made a mistake and no one noticed, why are the Conservatives taking his word for it?

Why not ask him for a copy of the cheque?

[*English*]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, we have been wondering for a while why it is the NDP opposed our street racing bill. I guess we now have the answer.

On matters like this, it really would be appropriate for the leader of the NDP to show up and explain why he broke the law.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I would appreciate it if the Conservatives would take question period seriously.

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Halifax has the floor.

[*Translation*]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, Nigel Wright has accepted responsibility, but he never said he had acted alone. Since Nigel Wright seems to have gone behind their backs, how can the Conservatives take him at his word?

The Prime Minister has told the media that he does not want to answer any more questions on this issue. If he wants the questions to stop, why is he not doing everything he can to clear up this matter of the cheque?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, we take the questions asked by the NDP very seriously. That is why the Prime Minister answered those questions. However, what is really serious is the fact that the Leader of the Opposition does not obey the rules or the laws on Parliament Hill. That is very important.

[*English*]

Again, if the NDP believes that it is appropriate for the leader of the NDP to break the laws of Parliament Hill, to not pull over when an RCMP asks him to, and, when an RCMP gets in his face, to actually ask, "Do you know who I am?", the leader of the NDP is making it crystal clear to Canadians why he should never be the prime minister of this country.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, speaking of breaking the law, Mary Dawson, the House Ethics Commissioner, has confirmed that she is suspending her investigation into the potentially illegal cheque written by the Prime Minister's adviser, Nigel Wright.

The government has refused to come clean about the nature of this deal, because it claims that both the Senate and the House ethics officers were investigating, but this is no longer the case. Now that we are dealing with a police investigation of the Prime Minister's Office, will they stop hiding? Will they show us the cheque and tell Canadians the terms of the secret deal and who in the Prime Minister's Office was involved in this deal?

Oral Questions

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as my colleague knows very well, the Ethics Commissioner operates independently and is following the rules and following the RCMP investigation into this matter, but what is equally important for the NDP members, if they want to be so self-righteous, as they are every day, about the importance of following the rules, respecting the law and demonstrating leadership by example, it would be great if the leader of the NDP would actually show up in Parliament.

We know he is on the Hill. He was in a real hurry to get here today—

Some hon. members: Oh, oh!

[Translation]

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, the Prime Minister refuses to answer questions about the management of his office. He says that he has nothing more to say. Canadians have the right to know if they can still have confidence in him.

Can the government explain why the chief of staff cut a cheque to thwart an investigation?

• (1425)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, an investigation is being conducted into this matter and we will certainly respect this process. As we said yesterday in the House of Commons, it was Mr. Wright's personal cheque and that is why we do not have access to that cheque.

However, we have a real question for the leader of the Liberal party concerning Senator Mac Harb. He wants to talk about the Senate, Senate reform and senators' accountability. Why is it all right for the leader of the Liberal Party to protect Mac Harb, who has to pay back \$231,000 to taxpayers? The Leader said that if Senator Harb reimburses that money, he can return to the Liberal Party. What standards are we talking about here?

[English]

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, can the Minister of Public Safety confirm whether the RCMP's investigation into Nigel Wright falls under sections 119 and 121 of the Criminal Code for bribery and frauds on the government?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, of course, the RCMP is independent. The RCMP can speak to the RCMP's investigation, just as only the Liberal leader can speak to the Liberal senators. Indeed, Liberal Senator Mac Harb took \$231,000.

I hear the leader of the Liberal Party say that he is not a Liberal senator. He was sure a Liberal when he stole the money. Again, if the leader of the Liberal Party believes in accountability and responsibility, perhaps he should answer this simple question: How much money does a Liberal senator have to steal before they are not welcome in the Liberal Party?

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, the fact remains that a \$90,000 payment was made by the Prime Minister's chief of staff to a sitting legislator. According to that legislator, he was then ordered by the PMO not to co-operate with the Deloitte

audit. The PM actually said that Nigel Wright made the payment while acting in his capacity as chief of staff.

Therefore, can the Minister of Public Safety confirm that the RCMP's investigation includes the Prime Minister's Office?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, again, as we have said, we do not direct the RCMP. The RCMP is independent and its members can answer whatever questions the member opposite has with regard to the nature in which they are approaching this very question.

Just as the Liberal Party can only answer the questions that taxpayers have about the money that was taken from them and given to their friends, the Liberal senators.

The very central question is \$231,000 taken from taxpayers by Liberal Senator Mac Harb and the leader of the Liberal Party says, "As long as he pays the money, he is perfectly welcome to come back as a Liberal". He stole the money and the Liberal leader should

The Speaker: The hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the Liberal leader said that he would welcome Mac Harb back with open arms if he paid back the money. Perhaps he should read the court decision on disgraced Senator Raymond Lavigne. The court found, "when Lavigne made false claims for a reimbursement of travel expenses of \$10,120.50...he committed dishonest acts". He was found guilty of fraud. Mac Harb, on the other hand, owes the taxpayers over \$230,000.

What is the government doing to ensure that Liberal and Conservative senators who rip off the taxpayers pay the money back and are held accountable for breaking the laws of our country?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, it is an important question and those who break the law should be held accountable, which is why the RCMP is looking into the matter of Senate expenses. That is why the Auditor General is looking into this matter as well.

It is also why we, as a House, should be asking and getting serious answers from the NDP about why the NDP leader thinks he can flaunt the law, confront RCMP officers, ignore them when they try to pull him over and then not show up in the House of Commons to be accountable.

The Speaker: I want to remind the hon. Minister of Canadian Heritage that it is unparliamentary to point out the presence or absence of other members. I hope he keeps that in mind for the rest of the question period.

The hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, speaking of stop signs, the RCMP has now confirmed that it is investigating the illegal cheque of \$90,000 that was written in the Prime Minister's Office.

We now have the Prime Minister being investigated by the RCMP for an indictable offence that happened in his office.

Oral Questions

I am sure the Conservative caucus might want to sing *Lovely Rita Meter Maid* all day, but what will it do about coming clean with Canadians about a potentially illegal and indictable offence that happened under the Prime Minister's watch?

• (1430)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I am afraid that the leader of the Liberal Party beat the member to this very question, and I answered that.

If the member for Timmins—James Bay wants to live by that standard, perhaps he could answer this question. Is the leader of the NDP being investigated for running five stop signs? Is the leader of the NDP being investigated for not listening to an RCMP officer? Is the leader of the NDP, at some point, going to show up in the House and apologize to Canadians for breaking the law?

The Speaker: The minister has to be very careful about pointing up the presence and absence of members. It is the second time. He should be very careful.

The hon. member for Rosemont—La Petite-Patrie.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, it takes a lot of nerve for the Minister of Canadian Heritage to say such things in the House when it was the Conservative Party that paid a fine for its in and out scheme, that was implicated in telephone calls to keep people from voting and that has senators mired in a scandal over false expense claims. We just learned that the RCMP believes there are grounds to launch a criminal investigation into the \$90,000 cheque that the Prime Minister's former chief of staff gave to Mike Duffy.

Will the Conservatives obey the law? Will they be up front with Canadians and Quebecers? Can they show us that it was a personal cheque or tell us what really happened in the Prime Minister's Office, before the RCMP get involved?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, we have already answered these questions very clearly: it was a personal cheque. We do not have access to a personal cheque from one individual to another. This is an independent process, and the RCMP is independent of the government. It will certainly look into this matter, and it will have access to any documents it requires.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, one thing is certain: the noose is tightening around the Prime Minister.

That said, the Conservatives have quite the logic. Nigel Wright was too crooked to stay in the PMO, so he was shown the door, yet, at the same time, the Conservatives are ready to take him at his word. What would be even better is if someone who saw this infamous cheque were to rise in the House and finally put these questions to rest.

It seems to me it would not be too hard for the Prime Minister to pick up the telephone, call his former right-hand man and ask him to make a copy of the cheque because it is needed for business in the House.

Has the Prime Minister done that, or will he do it? Will he do the right thing?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as I just said, an independent process is under way, and the RCMP will look into the matter and examine all of the relevant documents.

[*English*]

However, this is a very interesting day for the New Democrats to ask the government to respect the RCMP. It is not the Conservative leader who behaves that way on Parliament Hill. It is not the Conservative leader who behaves that way when he drives. It is not the NDP leader who should lecture anybody about respecting the decency of the RCMP.

[*Translation*]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, the expense scandal is so fascinating that it deserves its own *Heritage Minute*.

At first the Conservatives told us how honourable Nigel Wright was and said he saved taxpayers money. That was before they changed their minds and admitted that what he did was wrong.

We are talking about a man who masterminded an attempt to cover up a scandal using a secret cheque and his position as the Prime Minister's chief of staff. They are saying that Nigel Wright, who supposedly went behind their backs, wrote a personal cheque.

How can they be so sure, since no one has seen the cheque?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, that is the same question. For the fourth time, here is the same answer.

As I told her colleague, an investigation is under way and the RCMP will have access to all the information and documents it needs. The government did not have access to a personal cheque written by Mr. Wright.

The process will continue and we will respect it. Thank you.

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, these excuses do not pass muster. Enough is enough. People want answers.

When I say "answers", I am talking about real, clear, honest answers. Canadians are fed up with this string of scandals. This is as bad as the 1990s. I hope the Conservatives do not think that all these scandals will just magically disappear over the summer. People want answers.

Has the RCMP contacted the Prime Minister's Office regarding the \$90,000 cheque?

• (1435)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the RCMP is conducting an independent investigation and can certainly answer those questions. We have been very clear from the beginning: the RCMP will of course have access to all the information and documents it needs to do its job.

Oral Questions

The NDP leader should show us how he plans to respect the RCMP. Clearly, he failed to do so earlier today on Parliament Hill.

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DEMOCRATIC REFORM

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, while the Conservatives avoid answering questions, the Minister of State for Democratic Reform avoids doing his job.

On Tuesday, April 16, 2013, which was 58 days ago, the Minister of State for Democratic Reform said, “our government is pleased to announce that it will introduce comprehensive legislation on Thursday”.

Could he tell us which Thursday he was referring to?

[English]

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC): Mr. Speaker, we have already committed that we would bring forward legislation to change our election laws. However, the real question is this. Will the New Democrats actually follow those laws? We know today that the leader of the NDP blew by stop signs and did not stop for the RCMP. Also, the NDP accepted hundreds of thousands of dollars in illegal union donations.

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, the New Democrats have tried in vain to get answers from the minister about when he will table the amendments to the Elections Act. More and more it seems like he does not even know what is happening with his own bill. However, it is his bill, so surely he must want to know where it is.

I hear on good authority that the bill was actually hijacked by the gang in the PMO. What has the minister done to track down his missing bill and when will he share it with Canadians?

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC): Mr. Speaker, as I have said before, we take election reforms very seriously and that is why we are ensuring that we take the time to get it right. There are reports that need to be considered, including recommendations by the Chief Electoral Officer and recommendations by the procedure and House affairs committee. We committed to introducing legislation and we will introduce that legislation.

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PARLIAMENTARY BUDGET OFFICER

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, it was the culture of secrecy that allowed corruption to flourish under the Liberal years, but the Conservatives are so obsessed with secrecy, they are even trying to sabotage the selection committee to replace the parliamentary budget officer. They have assigned their chief henchman to the government House leader to ensure they wind up with a lapdog instead of a watchdog.

I argue that Kevin Page was about the best friend the Canadian taxpayers ever had. Canadians have a right to know what their government is doing with their money. Why are the Conservatives so fundamentally afraid of having a truly independent parliamentary budget officer?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, the process that is being used to appoint a new parliamentary budget officer is one that completely

follows and respects the law. We are looking forward to the time when the NDP actually demonstrates a similar interest in respecting and following the law.

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41ST GENERAL ELECTION

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, from the in-and-out scandal to overspending to fraudulent expense claims, Canadians are appalled at the continuous abuse of Canada's —

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Vancouver Quadra now has the floor. We need a little order.

The hon. member for Vancouver Quadra.

Ms. Joyce Murray: Mr. Speaker, I think the truth hurts over there.

From the in-and-out scandal to overspending to fraudulent expense claims, Canadians are really appalled at the continuous abuse of our election laws. We know the members for Mississauga—Brampton South, Selkirk—Interlake, and Saint Boniface are not complying with Elections Canada laws for the 2011 election.

Could the government please tell us how many more Conservative MPs are lined up and fighting Elections Canada over their campaign overspending?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the question is how many Liberals are defending their over billing to taxpayers? We have at least two Liberal MPs who billed false housing expenses so they could fill their pockets with taxpayer money illegally. They have Mac Harb, the Liberal senator, who owes almost one-quarter of a million dollars in money that he stole from the expense system, and his leader wants to welcome him back into the Liberal caucus with open arms.

That is the same leader, by the way, who has filled his pockets with money from charities to give speeches when he is already paid a salary by this place to give speeches and to reach out to Canadians. Shame on all of them.

● (1440)

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, it is straight out of the Karl Rove evasion playbook I see. This pattern of election spending abuses runs deep in the Conservative Party. Even the Conservative House leader in 2008 exceeded election spending limits and was actually caught and eventually penalized.

Speaking of 2008, the Conservative member for Peterborough still is not compliant for overspending during that election.

Oral Questions

Does the Prime Minister really believe that he, his members and his parliamentary secretary are above the law?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the member across is wrong and very wrong. The Prime Minister's parliamentary secretary had his expenses signed off by Elections Canada years ago. I believe he has handled himself with grace and dignity throughout this entire process.

That is in sharp contrast to the Liberal leadership candidates who have half a million dollars in past due loans that have become illegal donations. They have not stepped forward to explain themselves. They have not shown the courage of the Prime Minister's parliamentary secretary to stand in the House of Commons and defend his actions.

Mr. Scott Andrews (Avalon, Lib.): Mr. Speaker, the Conservative election overspending is not a series of disconnected accounting errors. There is too much of a pattern here. No, these are calculated violations of election laws with a view to gaining an edge.

The Prime Minister sets the tone. He breaks all the rules, so his MPs feel they can break the rules too. He cannot balance a budget, so his MPs do not feel the need to balance their campaign budget. The rot starts at the top. When is it going to stop?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the member is quite right that the rot does start at the top of his very own party. It is his leader who said that he would welcome with open arms a Liberal senator who stole almost one-quarter million dollars in expenses from the Canadian taxpayer. It is his leader, while accepting a salary to give speeches to community groups across the country, who then asked those same community groups to reach into their meagre resources and fill his pockets with that money. The member is right. The rot does start at the top.

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FOREIGN AFFAIRS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, our country depends on the hard work and patriotism of our diplomats who take on personal risk and hardship, yet our foreign service officers have been working without a contract for two years. Today in London, they are forced to take job action to get the attention of the Prime Minister. Why? Because Conservatives refuse to negotiate with their own diplomats.

When will the Conservatives return to the bargaining table?

Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification, CPC): Mr. Speaker, our government has put forward a fair offer. It is fair to employees and fair to taxpayers. The foreign service is a highly sought-after and well-paid posting. It is unfortunate that the union is attempting to take out its labour demands on Canadians. We expect that any job action will respect the bounds of the law.

[*Translation*]

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, our foreign service officers deserve better answers than that. These are people who faithfully serve our country every day. All they are asking for is equal pay for equal work.

Our foreign service officers represent our commercial interests and our diplomatic and consular presence around the world. Canada's presence on the world stage depends in large part on them.

Will the government finally agree to negotiate in good faith to end this labour dispute quickly and ensure that these employees are paid what they are worth?

Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification, CPC): Mr. Speaker, our government has put forward a fair offer. It is fair to employees and fair to taxpayers. Foreign service postings are highly sought after. It is unfortunate that the union is taking out its labour demands on Canadians. We expect that any job action will respect the bounds of the law.

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● (1445)

INTERNATIONAL TRADE

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I would like to stay on the topic of the government's poor negotiating strategies.

The Prime Minister is in Europe right now, desperately trying to sign a trade agreement, and he is making big compromises in order to do so. He has already announced that he will make it easier for Europeans to buy Canadian companies and challenge our laws.

The government is feeling desperate, and desperation is a very bad adviser when it comes to negotiations. Who is going to have to pay for the government's new compromises: beef producers or dairy and cheese producers?

[*English*]

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, the hon. member should be well aware from the Prime Minister's own words, his own press release from London, that negotiations are ongoing. We continue to negotiate in good faith, and both sides continue to move closer together. We expect to be able to finish these negotiations at some point, but we will not be stuck to a timetable. We will negotiate an agreement that is in the best interests of all Canadians.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, New Democrats support negotiations with Europe, but Conservative incompetence is stunning.

Oral Questions

The first rule of negotiating is to never convey that one is desperate for a deal, and yet that is exactly what the Prime Minister is conveying to the EU. Panicking to get a deal at any cost, the Conservatives are now offering concessions to reduce the reviews of foreign takeovers, increase the sell-off of public utilities and decrease Canadian control of telecommunications.

Which sectors of the Canadian economy will pay the price for Conservative desperation?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, the hon. member should just stop and think it over. It is pretty clear. I will put it out in point form. Stop signs are stop signs and everyone stops at them.

We have made a lot of progress in discussions. Negotiations are ongoing. There is no fixed date and there is no timetable. We are driven by the content of the agreement.

We will only sign an agreement that is in the best interests of all Canadians.

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PUBLIC SAFETY

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, I and many of my colleagues in the Conservative caucus have served in law enforcement across this entire nation. We went into this line of business because of our deep commitment to defending the rule of law. We on this side of the House know first-hand that our men and women in uniform face difficulties in ensuring our common security, yet it seems that not all members of the House respect the rule of law nor follow it.

Could the Minister of International Cooperation, a former Ontario police chief, please tell the House why it is important for all members to not just stand for law enforcement but stand with our men and women who enforce the law?

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, I thank the member for his service and indeed all members of the House and police officers across the country who have put their lives on the line to serve and protect our communities and our families.

As a former police chief, I am personally insulted by the leader of the NDP's arrogance and disrespect for those who serve on the front lines. His actions today are an insult to every man and woman who puts on the uniform to defend our basic freedoms and rule of law. The leader of the NDP should stop denigrating those who serve, stop opposing our efforts to get tough on crime and stop acting as if he is above the law.

* * *

CANADIAN HERITAGE

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, the Museum of Civilization spent \$70,000 to cancel a historical undergarment exhibit, but reports say this was due to the mandate change. However, in truth, the decision was made before the government announced any changes to the museum.

I know Conservatives do not like to reveal a lot, and I suppose we should not be surprised that prudishness is now part of the new mandate, but can the minister tell us whether he or any of his staff had conversations about this international exhibit with museum staff before it was cancelled?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the answer is no. Neither I nor anybody on my staff had any comments or discussions with the Museum of Civilization on its exhibit on underwear. No, we did not. To be clear to my friend opposite, I do not now, nor have I ever, had an official public position on the public displaying of underwear.

[Translation]

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, the minister's slip is showing. He is responsible for the change in the museum's mandate—

Some hon. members: Oh, oh!

• (1450)

The Speaker: Order please. The hon. member for Longueuil—Pierre-Boucher.

Mr. Pierre Nantel: Mr. Speaker, these children need to calm down a little.

The Museum of Civilization or the museum of Canadian history—we do not know what to call it anymore—cancelled an exhibit on Victorian underwear because its mandate has been changed. That is clear.

Regardless of the excuses he makes, this is ultimately the Minister of Canadian Heritage's responsibility. The minister's decision cost taxpayers \$70,000. Come on. That is unbelievable.

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I just answered a similar question. No, the museum operates independently.

[English]

I would point this out to Canadians, and actually, this is an interesting comparison. The NDP asked me whether I interfered with the public display of underwear at the civilization museum and we have, of course, the leader of the NDP having his drive-by today in front of the Parliament of Canada. Meanwhile, the Prime Minister of this country is fighting for Canadian jobs in Europe, speaking in the Westminster parliament for the first time since 1944. For the first time since the week before D-Day, the Prime Minister of this country is fighting for Canadians jobs, building our alliances with Europe—

The Speaker: The hon. member for Western Arctic.

*Oral Questions***ABORIGINAL AFFAIRS**

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, the Conservatives' nutrition north program has done nothing but increase the cost of groceries across northern Canada. It costs \$17 for a box of cereal in Iqaluit, \$19 for a bag of rice in Pangnirtung and \$25 for baby formula in Clyde River. The Yukon, Northwest Territories and Nunavut legislatures have voted unanimously to have the Auditor General investigate this program, but the Yukon and Nunavut MPs are very silent.

Will the Minister of Health heed the demands of the territorial governments and call in the Auditor General to investigate this boondoggle?

Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, the fact of the matter is that the hon. member should pay close attention to what is happening in his home. Northerners have asked for greater access to healthy foods at lower cost and we have responded to their request. The results are clear: the program is working. As a result of the nutrition north program, they now have access to high-quality nutritious foods at a lower cost. I saw the results of the advisory committee just last week. It was again reporting lower costs for northerners and—

The Speaker: The hon. member for Abitibi—Baie-James—Nunavik—Eeyou.

[*Translation*]

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, the cost of food in northern Canada is so outrageous that the Yukon, the Northwest Territories and Nunavut are all calling for the Auditor General to investigate the nutrition north Canada program.

The minister seems to be indifferent to their calls. Will the government listen to northerners for once? Will it respond to their concerns?

Families up north are paying \$8.99 for two litres of orange juice, while around here it costs only \$2.99. These families need a government that supports them.

Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, what northerners are calling for is improved access to inexpensive, healthy foods. That is the point of the program.

Northerners have no appetite for the NDP's carbon tax, which will increase the cost of their food.

* * *

[*English*]

ETHICS

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, we have the leader of the NDP running from the RCMP. We have the Prime Minister running from Elections Canada, and we know that there are numerous election spending violations. They have a certain pattern. They break the rules, they get caught and then they call it an accounting dispute until they are eventually found guilty.

Canadians are not buying it. My question is very simple. Why does the Prime Minister not simply instruct his members of Parliament to abide by the Canadian election laws?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the member makes a factual error when he refers to an accounting dispute. The Liberal leadership candidates who have \$500,000 in debts owing back almost seven years are not in an accounting dispute. Those are past due. That makes them donations over the limit, which the law calls illegal.

His party is in flagrant violation of election finance laws, as we speak. The right thing for him to do instead of throwing mud at this side would be to stand up and explain what his party is doing about its own law-breaking.

• (1455)

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, it is pretty simple. An election is like a competition, a democratic competition. Candidates compete for the privilege to serve. There are rules. Candidates must abide by the rules, but obviously the Conservatives do not think the rules apply to them.

I would like to ask the government this. When did it adopt the new credo, "If you ain't cheatin', you ain't competin'?"

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, he is right when he says elections are like a competition, and Canadians deserve to decide who is the winner. In this case, they have also decided who to put way over there in that corner. They did that after years of Liberal corruption and theft. This is the party that still cannot tell us where the missing \$40 million has gone, that has half a million dollars in illegal leadership debt, whose current leader took a salary from this place and then went around at the same time, during the same workdays, to fill his pockets with money from charities.

On this side of the House, we are proud of our leader.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, the Ring of Fire provides a unique opportunity for the economic development of northern Ontario.

If this project comes to fruition, it will help contribute to the sustainable improvement of our economy and have a positive impact on first nations and local communities. However, the Conservatives are dragging their feet and unable to establish clear rules for the proper management of the project, which is now faltering.

What will the minister do to get the project back on track?

Oral Questions

[English]

Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, today, there is something really ironic about an NDP member talking about following clear rules.

That notwithstanding, this was a decision made by a private company. Our government is committed and focused on working with stakeholders to ensure the enormous potential of the Ring of Fire becomes a reality. We will continue to work with all levels of government, especially first nations, and other stakeholders to help maximize those economic opportunities for northern Ontario.

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, under the Conservatives, in the span of five months, the Ring of Fire project has gone from stalled to completely suspended. The minister's inaction means end runs on environmental assessments, needless court challenges and sidelining first nations.

The minister needs to step up and take responsibility for leaving the Ring of Fire project mired in uncertainty. How is he going to fix this mess?

Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, it was our government that was proactive in working hand in hand, in full co-operation with communities implicated in the Ring of Fire. In fact, I visit Webequie First Nation with the Minister of the Environment. We saw a small business centre there. We saw first nations elders and youth and a college-diploma first nations person doing cultural mapping for the development of the Ring of Fire. We saw a busy base supplying materials for the Ring of Fire activity.

Every time we try to create better conditions for first nations communities, the NDP members consistently vote against those and make those challenges even more difficult. Shame on them.

* * *

CITIZENSHIP AND IMMIGRATION

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, recently there have been disturbing reports about Canadian citizenship being used as a flag of convenience for terrorists to commit violent acts against innocent civilians.

Our Conservative government believes that Canadian citizenship should be stripped from convicted terrorists. Although the NDP leader does not stop at stop signs, the NDP is trying to stop my bill by filibustering at committee.

Can the Minister of Citizenship, Immigration and Multiculturalism inform this House where our government stands on my private member's bill, and the NDP's attempt to destroy it?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I commend the member for Calgary Northeast for his bill that would strip citizenship from convicted terrorists and traitors.

Eighty percent of Canadians agree that if someone violently demonstrates their disloyalty to Canada by committing a serious act of terrorism, this should be understood as a renunciation of their loyalty to Canada and their citizenship.

Only 6% of Canadians strongly disagree with that proposition. Regrettably, that includes 100% of the NDP caucus who are leading a bizarre filibuster against Bill C-425 at the immigration committee. We call on them to listen to Canadians, let the bill go to a vote so there are consequences—

● (1500)

The Speaker: The hon. member for Bonavista—Gander—Grand Falls—Windsor.

* * *

THE ENVIRONMENT

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I rise again today to speak about a potential disaster in Notre Dame Bay in Newfoundland.

It deals with the *Manolis L.* which is a sunken large ship off the coast. It was leaking oil. The Coast Guard has done a patch job on it to make sure no more oil is getting out. However, it a very serious issue. There are over 520 tons of fuel oil still in that ship on the ocean floor. This could be a large-scale environmental disaster for the northeast of Newfoundland.

I beg this government, I beg this minister, what is the next step to get that oil out of the water?

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, our government continues to monitor the situation very closely.

Divers have been down on the vessel. A program of containment and remediation is under way. When conditions permit, action will be taken to contain this spill.

* * *

[Translation]

AIR TRANSPORTATION

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Mr. Speaker, for two years I pressured the Conservatives and the people in my region kept up their demands until it was no longer possible for the member from Roberval—Lac-Saint-Jean to ignore them. A customs office at Bagotville airport was needed.

Unfortunately, the work is not finished because limited customs services can accommodate only small business planes.

Can the member for Roberval—Lac-Saint-Jean tell us when the Bagotville airport will finally welcome a real planeload of tourists, or will he continue to oppose the project for another two years?

Points of Order

[English]

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, the decisions that are made by CBSA officers and administration are not made by politicians. They are made with strict criteria. They are made within the guidelines that are set out.

I have met with that member. I think we have had some good conversations. As we work together, we can see that area served. Again, it is not political interference that determines those matters.

* * *

PUBLIC SAFETY

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, “Don't you know who I am?” That was the shocking outburst from the Leader of the Opposition when he finally pulled over for the RCMP after going through—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Kootenay—Columbia has the floor.

Mr. David Wilks: After going through several stop signs and, worse, failing to stop for a police officer.

Could the Parliamentary Secretary to the Minister of Public Safety tell the House about the importance of obeying the laws of Canada?

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I do want to thank that member for his service to our country as a member of the RCMP.

The Leader of the Opposition's actions today show a complete lack of judgment, and they show a complete lack of respect for law enforcement. It is no surprise that that leader and his party vote against every piece of legislation we have to get tough on criminals.

Today, while we stand proudly as our Prime Minister, our leader is abroad making Canadians proud, the NDP know that their leader is running through stop signs and displaying disrespect for the RCMP who serve us on the Hill.

* * *

[Translation]

TELECOMMUNICATIONS

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, at a time when the Conservatives are making cuts to our public services, the people of Laurentides—Labelle are too often forced to rely on poor-quality online services. For example, completing an application for employment insurance is becoming increasingly difficult.

The lack of reliable access to high-speed Internet is hampering social and economic development in my area, and it is the people who are suffering the consequences.

Will the government enact legislation to ensure that all citizens have access to high-quality Internet services, regardless of where they live?

● (1505)

[English]

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, as the member opposite knows, Service Canada provides options for Canadians in many different ways, whether that is accessing one of the Service Canada offices within 50 kilometres of their home, accessing it through the Internet or accessing opportunities through outreach postings throughout the country.

We provide service across Canada. Canadians can even call in at 1-800 O Canada.

* * *

[Translation]

INTERGOVERNMENTAL RELATIONS

Mr. Claude Patry (Jonquière—Alma, BQ): Mr. Speaker, this past January, the Minister of Industry told Quebecers that his government was open to negotiating pragmatic agreements to optimize the management of public funds. This was nothing but lip service. His colleague, the Minister of Transport, Infrastructure and Communities, just refused to transfer infrastructure funding in full to Quebec. If the government transferred the money in full, it would help reduce bureaucracy and shorten the time it takes to complete projects.

What happened to the government's openness, and why will it not transfer Quebec's full share of the money?

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, the answer is simple. We respect the Constitution of Canada and we signed administrative agreements with the Government of Quebec a few years ago regarding the management of this money.

I remind my colleague that Ms. Marois, the Premier of Quebec, was a member of the Landry and Bouchard governments when we signed these agreements. These agreements are in accordance with the Constitution. They were in accordance with the Constitution at the time and they are in accordance with the Constitution now. We will continue to sign agreements along these lines.

* * *

[English]

POINTS OF ORDER

ROYAL CANADIAN MOUNTED POLICE

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I rise on a point of order.

I think if you seek it, you will find unanimous consent for the following motion:

That the House commend and thank the RCMP for the excellent work that they do protecting Parliamentarians and all staff who work in the Parliamentary Precinct, recognize that traffic regulations and signage are important for the safety of those working on the Hill including construction personnel and visitors, and that the House reminds all members, and staff that their full compliance and cooperation is required.

The Speaker: Does the hon. member have the unanimous consent to propose this motion?

Business of the House

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

ELECTIONS CANADA—SPEAKER'S RULING

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I rise on a point of order.

I am aware of your ruling about the tabling of letters from Elections Canada, regarding the member for Selkirk—Interlake and the member for Saint Boniface, so this is not a request to table anything.

However, Mr. Speaker, could you inform the House if you have received any information from Elections Canada about any other members of Parliament who are not currently in compliance with the Elections Act, please?

The Speaker: If the hon. member for Winnipeg North examines the statement that I made last week, there is a very important question of privilege that the Chair is currently seized with. Pending the comprehensive ruling on all aspects of the question before me, I do not want to get into anything that would presuppose what would be in that ruling.

I ask the hon. member to be patient. The ruling will come and any additional information or any other context that might be put into the ruling, I trust, will satisfy the hon. member. If he can be patient, we will soon get it.

ORAL QUESTIONS

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, I rise on a point of order.

I am not sure if I heard correctly or not, so I wonder if I could have a point of clarification from the member for Timmins—James Bay.

Did he say in his statement that the female RCMP officer who puts her life on the line every single day was a meter maid? If so, I think he should apologize.

The Speaker: I am not sure that is a point of order.

PETITIONS

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I rise on a point of order.

During routine proceedings today, I was presenting a petition and it was indicated to me that I was a little bit snippy with the Speaker. I just want to stand and apologize for that.

• (1510)

The Speaker: All is forgiven.

* * *

BUSINESS OF THE HOUSE

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is nice to have that level of civility. I congratulate my friend across the way.

Before asking the usual Thursday question and before the government House leader across the way starts to talk about how he has been able to abuse Parliament over the past week, I would like to make a small observation for all those listening.

Of all the bills I am sure he is about to mention that are important, not a single bill passed through this legislative process in anything resembling a normal fashion. Bills S-8, S-15, S-17, S-2, S-6, S-10, S-16, C-56 and C-60, every single bill we have debated in the past week, operated under time allocation. I might parenthetically add that seven of them came from the Senate. It seems like a strange place for the government to get its agenda: a bunch of unelected, under-investigation senators, but so be it. It is the government's choice.

We tried to work with the government to find ways to allow the House to debate bills and to do so expediently. A good example is the Sable Island as a national park bill. For example, we offered up about five or six speakers who wanted to address the merits of the bill, which would have allowed the passage of that bill after they had spoken. The reaction from the leader from the other side was to move time allocation, which in fact ended up taking up more time in the House than the offer the NDP had made would have taken.

[Translation]

The Conservatives' strategy is sometimes bizarre. In fact, it is hard to figure out whether it is a strategy or not. I would like the Conservative member to enlighten me on this, even though the Conservatives' responses have no merit.

We have spent more than 14 hours debating and voting on time allocation motions in the past two weeks alone. I find it ironic that the government allots only five hours of debate to the content of the bill under time allocation, when the vast majority of our time is spent debating and voting on the time allocation motions and not on the bills. That is the Conservatives' way of doing business.

When will the Leader of the Government in the House of Commons learn that a hammer is not the only tool available for getting the work done?

[English]

Could the leader of the government tell us what his plans are for this week and the week following?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, this time last week, I said that I hoped to have a substantial list of accomplishments to report to the House. Indeed, I do.

Business of the House

In just the last five days, thanks to a lot of members of Parliament who have been here sitting late at night, working until past midnight, we have accomplished a lot. Bill C-60, the economic action plan 2013 act, no. 1, the important job-creating bill, which was the cornerstone of our government's spring agenda, passed at third reading. Bill S-8, the safe drinking water for first nations act, passed at third reading. Bill S-2, the family homes on reserves and matrimonial interests or rights act, passed at third reading. Bill C-62, the Yale First Nation final agreement act, was reported back from committee and was passed at report stage and passed at third reading. Bill C-49, the Canadian museum of history act, was reported back from committee. Bill C-54, the not criminally responsible reform act, was reported back from committee this morning with amendments from all three parties. Bill S-14, the fighting foreign corruption act, has been passed at committee, and I understand that the House should get a report soon. Bill S-15, the expansion and conservation of Canada's national parks act, passed at second reading. Bill S-17, the tax conventions implementation act, 2013, passed at second reading. Bill S-10, the prohibiting cluster munitions act, passed at second reading. Bill S-6, the first nations elections act, has been debated at second reading. Bill C-61, the offshore health and safety act, has been debated at second reading. Bill S-16, the tackling contraband tobacco act, has been debated at second reading. Finally, Bill C-65, the respect for communities act, was also debated at second reading.

On the private members' business front, one bill passed at third reading and another at second reading. Of course, that reflects the unprecedented success of private members advancing their ideas and proposals through Parliament under this government, something that is a record under this Parliament. This includes 21 bills put forward by members of the Conservative caucus that have been passed by the House. Twelve of those have already received royal assent or are awaiting the next ceremony. Never before have we seen so many members of Parliament successfully advance so many causes of great importance to them. Never in Canadian history have individual MPs had so much input into changing Canada's laws through their own private members' bills in any session of Parliament as has happened under this government.

•(1515)

[*Translation*]

Hard-working members of Parliament are reporting the results of their spring labours in our committee rooms. Since last week, we have got substantive reports from the Standing Committee on Public Accounts, the Standing Committee on Foreign Affairs and International Development, the Standing Committee on Agriculture and Agri-Food, the Standing Committee on Health, the Standing Committee on Procedure and House Affairs, and the Standing Committee on Government Operations and Estimates.

We are now into the home stretch of the spring sitting. Since I would like to give priority to any bills which come back from committee, I expect that the business for the coming days may need to be juggled as we endeavour to do that.

[*English*]

I will continue to make constructive proposals to my colleagues for the orderly management of House business. For example, last

night, I was able to bring forward a reasonable proposal for today's business, a proposal that had the backing of four of the five political parties that elected MPs. Unfortunately, one party objected, despite the very generous provision made for it with respect to the number of speakers it specifically told us it wanted to have. Nonetheless, I would like to thank those who did work constructively toward it.

I would point out that the night before, I made a similar offer, again, based on our efforts to accommodate the needs of all the parties.

Today we will complete second reading of Bill S-16, the tackling contraband tobacco act. Then we will start second reading of Bill C-57, the safeguarding Canada's seas and skies act.

Tomorrow morning we will start report stage of Bill C-49, the Canadian museum of history act. Following question period, we will return to the second reading debate on Bill S-6, the first nations elections act.

On Monday, before question period, we will start report stage and hopefully third reading of Bill C-54, the not criminally responsible reform act. After question period Monday, we will return to Bill C-49, followed by Bill C-65, the respect for communities act.

On Tuesday, we will also continue any unfinished business from Friday and Monday. We could also start report stage, and ideally, third reading of Bill S-14, the fighting foreign corruption act that day.

Wednesday, after tidying up what is left over from Tuesday, we will take up any additional bills that might be reported from committee. I understand that we could get reports from the hard-working finance and environment committees on Bill S-17 and Bill S-15 respectively.

Thereafter, the House could finish the four outstanding second-reading debates on the order paper: Bill C-57; Bill C-61; Bill S-12, the incorporation by reference in regulations act; and Bill S-13, the port state measures agreement implementation act.

I am looking forward to several more productive days as we get things done for Canadians here in Ottawa.

The Speaker: The hon. member for Skeena—Bulkley Valley is rising.

PRIVILEGE

DATA USED BY GOVERNMENT WITH RESPECT TO BILL C-54

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I just wanted to respond to the question of privilege brought by my friend from Kingston and the Islands. He brought a question of privilege regarding data, and more importantly, data the government was using that was not correct in terms of constructing its argument for a bill. He took that as a question of privilege, an invocation that I think is quite serious.

Our research team prepared a report for the justice department entitled “Description and Processing of Individuals Found Not Criminally Responsible on Account of Mental Disorder Accused of ‘Serious Violent Offences’”. This report was central to the discussions on Bill C-54, the not criminally responsible reform act, both in the House, where the report was tabled, and at the Standing Committee on Justice and Human rights, which studied the legislation.

The report was given to the Department of Justice in November 2012. On March 14, 2013, the department was notified that there was an error in this report. The government was provided with a corrected version on March 18 of that same year. We know this as a sure fact from a committee witness who said:

That error was discovered on March 14th and immediately communicated to the Minister's office, and a revised report was provided on March 18th with that data corrected

There was also a note attached to the report when it was tabled, saying that a significantly amended version of this report was provided to the Department of Justice on March 18, 2013, so that is not in dispute. Whether there was an incorrect report that was then corrected and given to the government has all been established as fact.

However, the Conservatives nonetheless continued to cite from the old report and even tabled the old report on March 27, thus providing misleading information to the House and all members of Parliament. The numbers between the two reports varied significantly and have had an impact on how we have been studying and debating legislation and making decisions on policy concerns.

A small example is that the original report said that 38.1% of sex offenders found not criminally responsible and accused of a sex offence had at least one prior NCR finding. That number was changed in the report to 9.5%. When MPs were debating, the information they had given to them by the government said that almost 40% were true in these cases. The actual number was less than 10%.

It also said that 27.7% of those accused of attempted murder had one NCR finding. That number was then changed to 4.6%, and the figure of 19% accused of murder or homicide with one prior NCR was changed to 5.2%. There was a dramatic one-fifth, one-quarter and one-tenth difference in the numbers. These are not small or trivial. They are significant.

• (1520)

[Translation]

According to O'Brien and Bosc, contempt of Parliament is

Government Orders

“any action which...tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any member or officer of the House in the discharge of their duties; or is an offence against the authority or dignity of the House”.

According to the same authors, “deliberately attempting to mislead the House or a committee” is a form of contempt.

[English]

The 22nd edition of *Erskine May: Parliamentary Practice* also states on page 63:

it is of paramount importance that ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity

This would not be the first time the Chair has found a prima facie case of contempt of the House related to misleading the House and committees.

In 2003, the former privacy commissioner, George Radwanski, was found in contempt of the House for providing deliberately misleading testimony during hearings of the Standing Committee on Government Operations and Estimates on the financial management and staffing of the Office of the Privacy Commissioner, November 6.

In 2008, the RCMP deputy commissioner, Barbara George, was found in contempt of this House for providing misleading testimony during the Standing Committee on Public Accounts hearings into allegations of mishandling of the RCMP pension and insurance plans.

This, sadly, is not the first time we have discussed instances of the Conservative government misleading the House and Canadians. In this case, the Conservatives purposely used the old and incorrect numbers, because they made a better case for their version of the legislation. They used the numbers that pleased them instead of using the facts that were true. This was detrimental to members of all parties and to the members of the committee studying the bill based on incorrect data.

Correct numbers give us the ability to develop good policy, but the current government members, we have seen far too often, are not interested in science-based policy-making.

Misleading the House and Canadians is a very serious breach of the rules of governing both our democracy and this institution.

I therefore support the request from the member for Kingston and the Islands that the proper measures be taken.

The Speaker: I thank the hon. member for his further contribution.

GOVERNMENT ORDERS

[Translation]

TACKLING CONTRABAND TOBACCO ACT

The House resumed consideration of the motion that Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco), be read the second time and referred to a committee, and of the motion that this question be now put.

Government Orders

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, as I mentioned earlier, I will be sharing my speaking time—that is, the five minutes I have left—with the excellent member for Churchill.

Earlier, I spoke about how tobacco is a substance that is extremely hazardous to peoples' health. I also spoke about the lack of resources, and not just financial resources. Sometimes it is just material or human resources that are needed. It may be that all that is needed is a little time.

Not only is contraband a serious public safety and health problem, but it also results in a loss of tax revenue for various levels of government. The majority of tobacco manufacturers are located in Ontario and Quebec, and that is also where most contraband tobacco enters the country. That is where most tobacco is manufactured and where most contraband tobacco enters and leaves the country. Why? This happens by land and by water. Why is that?

As I said earlier, it is unacceptable that the resources are not being allocated to really fight this.

I found myself wondering about that earlier. I was also thinking that the RCMP recognizes that the increase in organized crime linked to contraband tobacco boosts other crimes. Contraband tobacco funds other criminal activities, such as weapons and drug trafficking.

Introducing mandatory minimum sentences of 90 days, 180 days and two years less a day will not resolve the situation. We know that in organized crime, when a person, a candidate, a soldier—excuse my language—is no longer needed or must be retired, he is replaced. There are pools of recruits who will commit all kinds of crimes. Increasing minimum sentences or further criminalizing contraband tobacco by making a small change to the Criminal Code will not reduce this crime.

There was a seizure in the Eastern Townships the day before yesterday. Unfortunately, 16 troublemakers were involved and they were all repeat offenders connected in some way to organized crime groups. These groups are increasingly organized in terms of technology, computer resources and vehicles.

I would like to tell you a story about something that happened in my riding. A package fell from the sky and all of a sudden a jet boat appeared to pick up the package and quickly take it across the border. The RCMP and the Sûreté du Québec had not done maintenance on their patrol boats in the previous two years and were therefore unable to reach the destination or the target. That is an example of the lack of resources I was talking about and the very serious consequences it can have.

Organized crime has the resources to easily transfer groups, vehicles and goods from one place to another. Why? Because the current government is not doing its job on the ground. It is not looking after the safety of communities or, more importantly, Canadians' health.

As I said before, provincial governments have worked hard to discourage the use of tobacco and drugs and even to prevent young people from suffering the serious consequences of membership in a criminal organization. A great deal of preventive work has been done with young people, and that work must continue. Young people need

support. The government must allocate enough money for the youth centres that are located throughout Quebec, so they can hire leaders in the summer. The leaders are often young university students or other community members who help the municipalities and super-vice young people during sports activities.

• (1525)

For example, in my riding, in Rock Forest in Deauville, there is a skateboard park. Young people love this sport. They are happy, they are outside and they are developing.

Needlessly exposing them to crime will do nothing to protect the future of our society and the safety of our people.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments provided by the member. Does he recognize the important role that different provinces play with respect to this? We find there is an increase, for example, in illegal cigarettes when the tax on a package goes up. It is important that we tax cigarettes. The costs of health care as a direct result of people who smoke and of second-hand smoke far exceed the revenue that government collects in tobacco taxes.

When are we going to see more co-operation with some of the provinces in coming to grips with this issue? Not only is this a question of health and government revenue, but it also feeds into gang activity and other forms of illegal activities.

Would the member not agree that if we want to deal with this issue in an aggressive fashion where there will be direct results, we need to start working with some of the departments at the provincial level so there is a higher sense of co-operation so we see more results?

• (1530)

[*Translation*]

Mr. Jean Rousseau: Mr. Speaker, it is not very often that I agree with my colleague.

Indeed, there is a very significant lack of co-operation and synergy between all governments and between the different levels and departments of government. In fact, no one has been able to connect the dots between the tax hikes, the costs of health care and the impacts on consumption.

When taxes on legal cigarettes are increased, there is more and more contraband tobacco. Even if taxes were substantially increased, the resulting benefits would never be enough to counteract the impact and effects of smoking on health.

As I said, prevention and good co-operation are the way to go.

I am really quite surprised and amazed to agree with my colleague. Obviously, the focus should be on promoting a relationship of synergy and co-operation.

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, I thank my colleagues.

I would like to ask my colleague's opinion on the fact that we are members elected by the people. We are here to legislate. We were elected as legislators, but the last word goes to the other chamber, the Senate, which was not elected but can make the final decisions.

Government Orders

This bill, which would amend the Criminal Code, comes from the unelected other place.

What does he think of that?

Mr. Jean Rousseau: Mr. Speaker, I thank my excellent colleague for her question.

I took notes about why this came from the Senate.

I spoke about leadership earlier. Once again, the government is not showing any leadership in protecting the health and safety of Canadians. It just repeals a little section of the Criminal Code here in the House, no problem. It adopts a time allocation motion for this bill.

This bill originated in the Senate. How many bills have we seen from the Senate this week and last? This shows that the government is running out of steam and has no respect for the chambers. Members of the House of Commons are elected. This is the chamber that should be introducing bills that affect the lives of Canadians, especially when we are talking about protecting health and safety.

[*English*]

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I am pleased to speak to Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco). As has been stated very clearly, the NDP is in support of sending this bill to committee and having a closer look at it, a bill that aims to address a very serious issue. Contraband tobacco is an extremely serious problem, both in public health and safety and of the lost revenue for the various levels of government.

However, the bill raises certain issues that need to be clarified in relation to the government's chosen approach. Another issue that is very important to address is the need for consultation with the provinces, territories and first nations communities. We are also concerned about the issue of minimum mandatory sentences that are provided in the legislation. Therefore, we believe this requires further study in committee.

In its 2008 report, the RCMP stated that its:

—key concern is the increased involvement of organized crime implicated in illegal tobacco activities for monetary gain. The public needs to be aware that profits from illegal tobacco products are also funding other criminal activities, such as drug and gun trafficking.

In terms of public health, contraband tobacco and the use of tobacco products are interconnected. We know tobacco seriously harms the health of Canadians. Because contraband cigarettes are available at a lower cost than cigarettes sold in stores, they can encourage consumption, especially for young people who might find it more difficult to obtain legal tobacco products. Furthermore, because the quality of illegal tobacco products goes unchecked, these products may have an even more harmful impact on the health of consumers.

In understanding the bill, and it is very clear to us that it requires more study, the NDP believes that various key aspects of this need to be examined further. A key aspect that must be examined is the need for the government to invest resources in policing and in the Canada Border Services Agency to properly address this issue. Unfortunately, all we have seen from the government are reckless border

cuts and a refusal to renew the funding that allows for more police officers on our streets.

I recognize that cuts to policing and investigative resources began under the Liberal government, when the port of Vancouver, for example, and other entry ports lost policing and investigative capacities as a result of the Liberals' budget cuts. Unfortunately, the Conservative government has very much continued this trend. We know of cuts, certainly in the last year, to the Canada Border Services Agency. This affects the capacity Canadians have in ensuring that what is coming through the border is not contraband tobacco and the serious stopgap to the kind of illegal trafficking in general that we know takes place across our borders.

It is absolutely critical for the Conservative government to go back on the kinds of cuts we have seen and seek to invest in policing capacity, both in terms of the CBSA and more broadly in terms of police services.

I want to speak briefly to what it means to have a lack of policing services in communities that wrestle with contraband and broader security issues.

As the MP for Churchill, I represent one of the largest ridings in Canada in terms of geography and size. What that means is we have massive expanses of territory and an RCMP and police force that are stretched to provide critical policing services.

I have had the pleasure of meeting women and men who are part of the RCMP working in communities across the north. I have great admiration for the work they do, but I recognize they often do it for longer periods of time, putting in overtime and sometimes exposing themselves to risk because they do not have the kind of staffing complement they need.

● (1535)

I also know in the investigative capacity they are often overstretched. I will use the example of a recent murder in one of the northern first nations I represent. It is an isolated community and the ability to get in and conduct a proper investigation was hampered by the fact that the RCMP could not send the right people in at that time. There was a waiting list for the specialists who needed to come in, owing to the fact that the RCMP was short-staffed, especially when it came to the north.

I also want to note that first nations communities often struggle with social challenges and some very difficult situations. They want to better police their communities. Band constables are often the go-to people in this case.

Unfortunately, the Government of Canada has pulled away from the kind of commitment first nations want to see when it comes to band and aboriginal policing. Certainly in our province of Manitoba, I know first-hand that RCMP officers often depend on band constables to go out and do that initial investigative work and build those relationships that need to be had to get to the bottom of what has happened and to begin the process of seeking justice.

Government Orders

Unfortunately, I have been in many communities where band constables have had to be laid off because the funding has dried up. I know most recently that the Island Lake communities, the Island Lake First Nation, and particularly in Garden Hill, were very concerned about their loss of band constable funding coming into this fiscal year.

I heard from leaders and community members who wanted to ensure that the violations of public unrest, incidents of vandalism or abuse were dealt with properly. The issues they raised were the fact that in Garden Hill, for example, the RCMP had to fly over the lake in a helicopter when the lake was not frozen to undertake its policing duties.

Without band constables, that takes a long time. RCMP officers are not always able to make it over the lake in a helicopter. Therefore, instead of depending on band constables who are on-site in the community, the community is being put further at risk as a result of the government's failure to come to the table and find a solution to policing issues that work for communities like Garden Hill.

First nations and northern communities want to make a difference, whether it is on issues of contraband or criminal behaviour. However, the reality is that policing needs support from the federal government. Communities deserve to have support from the federal government in bolstering the police presence in their communities, whether it be the RCMP or band policing.

It is of grave concern that despite the government's rhetoric of being tough on crime, when we actually look at the figures and the reality in northern regions like the one I come from and I represent, this has not translated into a difference of supporting first nations, hiring band constables, ensuring that the RCMP has the support and the investigative capacity required in northern regions when something as serious as a murder takes place. They need to speedily react and start a longer term investigative process.

I also want to speak to the need to support our border service agents. That, to me is an important point that unfortunately is missed in Bill S-16, and we hope to raise it at committee. Anybody who has gone through the border, and I had the opportunity to travel to the states through the Manitoba border crossing at Emerson, would have seen CBSA agents doing very important work, ensuring that our provinces and all Canadians are being looked after as people travel back and forth through the border.

• (1540)

It is unfortunate that the government has not recognized the need to keep CBSA agents safe, to make sure they have the staff complement and backup they need in order to truly react to issues of contraband and other aspects of illegal trafficking.

With that, I am open to questions and comments.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I guess I should start by saying that I have been a member of the public safety committee for approximately seven years now. We are looking into the economics of policing. I wonder if the hon. member is aware that there has actually been a significant increase in first nations policing over the last several years. As a matter of fact, it

is somewhere close to 30%. Also, I wonder if the hon. member is familiar with some of the statistics surrounding first nations policing.

Having served in the north of Ontario, I understand completely that there is a difference in policing in those remote communities and that the cost of providing policing is significantly higher than that of almost any other police department in Canada.

If the hon. member wants to tell Canadians the facts, she might want to revisit the fact that we have not cut back on first nations policing. As a matter of fact, the federal government has increased its commitment by somewhere in the vicinity of \$600 million.

The hon. member might want to consider rephrasing some of the information she has just given to the country.

• (1545)

Ms. Niki Ashton: Mr. Speaker, I struggle with the member's tone because I actually know the facts. I live in the north and I see the reality. I have been to communities where band constables have been laid off. I have spoken to leaders who, at the last minute, at the eleventh hour, have been trying to get the federal government to the table to support their band constable program.

I will share a little anecdote. I used to teach for the University College of the North. It used to offer a policing program for band constables. As a result of a lack of government funding, funding that was cut off by the Conservative government, the program was eliminated. People who wanted to be band constables could no longer get the training to provide that service. People could not get the kind of expertise and could not be recognized as band constables as a result.

What ended up happening is that in communities like Lac Brochet, the RCMP had to shut down the trailer that was used as a holding cell because there was no band constable trained in the community to provide safety to the person in the holding cell, but more importantly to the people in the community. What ended up happening was an isolated community had to wait for a plane, if the weather was good, to come and pick up someone who had been accused of a crime, however long that might take, which put the community into a very vulnerable position.

I would welcome the member, and certainly ministers of the Crown, and members of the government to spend some time in our north and in isolated communities that depend on an RCMP service and need that support, first nations that depend on support for the band constable program. That support is clearly not there from the federal government.

If the government truly believed in building safer communities, it would invest in policing in the north the way it should be.

[*Translation*]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I thank my colleague from Churchill for her very accurate, though unfortunately disappointing, account of the reality on the ground.

How ironic that we are in the middle of National Public Service Week. Look at how poorly the government treats our public service and our public servants. There is a complete disconnect between the government's intentions and what actually goes on on the ground.

Government Orders

I would like to hear what my colleague has to say about how the government does not value its human resources and even has contempt for them.

Ms. Niki Ashton: Mr. Speaker, I thank my hon. colleague for the question.

It is ironic that the government is talking about the importance of security and the importance of the police and telling Canadians that it is in control of the situation, when the reality on the ground is quite different. Police officers are asking for more support and the leaders of aboriginal and rural communities are saying they need more security and more police officers. These people want to change things and work with their fellow citizens to create better communities for everyone.

The reality is that despite what the federal government thinks and says, it is just not at the table to offer any support and co-operate with these communities.

• (1550)

[*English*]

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, I am pleased to be sharing my time with the member for Northumberland—Quinte West. It is particularly apropos to be doing so. He is a former police officer who has served in remote northern communities, as many members in the Conservative caucus have. I believe there are 14 former police officers in our caucus, among them are the member for Northumberland—Quinte West, the member for Kootenay—Columbia, the member for Yukon, the Minister of International Cooperation. All of them have served this country well. They have put their lives on the line to protect ours. They certainly have the on-the-ground experience which the member for Churchill was just referring to, so I will certainly take my lead from the member for Northumberland—Quinte West and look forward to his speech.

I appreciate the opportunity to talk about this important issue. This is a piece of legislation that concerns cracking down on the illegal trafficking of contraband tobacco. Like most Canadians, unfortunately, members of my family have been touched by cancer as a result of smoking tobacco. My grandfather died at the age of 57 after having taken up smoking when he joined the air force in World War II. He smoked for 40 years and he was taken away from my family far too soon. My wife's aunt just passed away this last year. It was the same situation. For 40 years she was addicted to cigarettes. It took her from our family far sooner than we would have liked.

We need to continue our efforts to convince Canadians that smoking is a bad thing in all its forms and that contraband tobacco is particularly nefarious. Not only does it contain all the negative factors associated with smoking, but it also deprives the government, which has to look after people who become ill from smoking cigarettes, of tax revenue. I heard a colleague in the NDP mention the figure of \$2 billion a year. The member for Churchill, another NDP member, also mentioned the lack of revenue being a key concern when dealing with contraband tobacco. That is where I am going to focus my speech.

Contraband tobacco is not only illegal, but it is detrimental to the health and safety of Canadians. In addition, as I said, the trafficking of contraband tobacco deprives the government of important revenue

that is earned through the sale of legal tobacco products, revenue that helps fund programs aimed at stopping the use of tobacco, particularly among youth, and that funds health care for those who need it.

As I said, I am going to focus my comments today on what our government is doing to protect government revenues and the Canadian tax base. Since coming to office in 2006, our government has taken a number of steps to improve the integrity of the Canadian tax system and make it stronger and fairer for all Canadians. In an uncertain global environment, the most important contribution the government can make to help create jobs, growth and long-term prosperity is to maintain a sound fiscal position. Managing tax dollars wisely ensures sustainable public services and low taxes for Canadian families and businesses.

Our government is committed to responsible fiscal management, which includes returning to balanced budgets in the medium term. Also, we are controlling spending. It also includes continuing to enhance the integrity of the tax system to ensure that everyone pays their fair share of taxes. Such actions help keep taxes low for Canadian families and businesses, thereby improving incentives to work, save and invest right here in Canada.

In past budgets, our government adopted tough rules to close tax loopholes and prevent a select few businesses and individuals from avoiding taxes. Since 2006, including measures proposed in economic action plan 2013, the government has introduced over 75 measures to improve the integrity of the tax system. Economic action plan 2013, in fact, takes several important steps to improve the integrity of our tax system and to close tax loopholes. The measures include strengthening compliance with the law, and fighting international tax evasion and aggressive tax avoidance.

In economic action plan 2013, our government announced a new stop international tax evasion program, which would enable the Canada Revenue Agency to pay individuals with knowledge of major international tax non-compliance a percentage of tax collected as a result of information they provide.

• (1555)

We would require certain financial intermediaries, including banks, to report their clients' international electronic fund transfers of \$10,000 or more to the CRA. In addition, we propose new reporting requirements for Canadian taxpayers with foreign income or properties and have streamlined the process for obtaining information concerning unnamed persons from third parties, such as banks.

Again, this speaks to our desire to make sure that everyone is paying a fair share and not skipping out on tax bills or using aggressive tax avoidance schemes. We are doing our best as part of our effort to get back to a balanced budget in the medium term, and this is part of our plan to do that. Fighting things like contraband tobacco and the loss of revenues through contraband tobacco will help us meet that goal.

In May of this year, our government announced a \$30 million investment to target international tax evasion and aggressive tax avoidance.

Government Orders

This investment includes new resources of \$15 million through economic action plan 2013 to establish the necessary systems for the CRA to receive reports from banks and other financial intermediaries on international electronic fund transfers of \$10,000 or more, and an additional \$15 million in reallocated CRA funds that will be used to bring in new audit and compliance resources dedicated exclusively to issues of international compliance and revenue collection that were identified as a result of measures outlined in our last budget.

To ensure that these activities move forward quickly, the government announced the creation of a dedicated team of CRA experts responsible for the implementation of the international tax evasion and aggressive tax avoidance measures announced in that budget. It would ensure that the full force of the agency's international compliance and auditing resources are brought to bear on individuals or businesses seeking to hide money or assets offshore.

Again, a key part of this bill is to ensure that are we cracking down on the organized crime that uses contraband tobacco as a revenue source and deprives the Government of Canada of a revenue source as well.

I will give a bit more background on what Bill S-16 does.

First of all, the bill fulfills a platform commitment. In 2011, our government made a commitment to establish a mandatory jail time for repeat offenders. Bill S-16 would bring amendments to the Criminal Code to establish a new offence of trafficking in contraband tobacco, with mandatory jail time for second and subsequent convictions.

It is important that we send the message that if one is going to break the law, one would not get repeated slaps on the wrist and be allowed to walk away and treat the justice system as a joke. There will be real penalties. The primary target of this new offence is organized crime and those who are involved in the trafficking of contraband tobacco in large volumes.

The definition of trafficking would include sale, offer for sale, possession for the purposes of sale, transportation, distribution and delivery of contraband tobacco. The penalty for the first offence would be up to six months of imprisonment on summary conviction and up to five years of imprisonment if prosecuted on indictment.

The bill also proposes that repeat offenders convicted of this new offence on indictment would be sentenced to a mandatory minimum penalty of 90 days on a second conviction, 180 days on a third conviction and two years less a day for any subsequent convictions.

We are taking action and fulfilling our campaign promises. We are targeting organized crime and working to ensure that the revenues would be going into government coffers at all levels to promote smoking cessation programs, reach out to our youth and fund health care and other services that we have grown to rely on. An important part of maintaining those important services is passing this bill and cracking down on contraband tobacco.

I urge all members of this House to support the bill.

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, I would point out to my hon. colleague that an increasingly large

proportion of contraband tobacco is coming in from other countries, but maybe he already knows that.

Was that taken into consideration in the drafting of this bill? If so, exactly which clauses refer to that fact?

• (1600)

[*English*]

Mr. Mark Strahl: Mr. Speaker, obviously we work not only with our partners at all levels of government but also with the RCMP and our international partners as well to tackle this important issue.

If the member refers to the speech of the Parliamentary Secretary to the Minister of Public Safety, she will see that the parliamentary secretary gave a comprehensive analysis of the work we have done with the cross-border group and U.S. authorities to ensure that we are able to respond when there is suspicion of smuggling of goods or suspicion that contraband tobacco may be crossing an international border.

Certainly that is something we are aware of and something we are working on proactively. I hope we can count on the hon. member's support when we bring forward measures to tackle that sort of activity.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, as I indicated earlier, illegal importation of cigarettes is very costly in different ways. The most obvious ones would be the potential loss of revenue, the health care impacts of having cheap cigarettes on the market and the activities of gangs in selling illegal cigarettes.

One of the issues that is really important for us to recognize is that the government needs to be more proactive in dealing with the number of people who take up smoking.

I see that \$90,000 can be spent on just one economic action plan ad. That 30-second ad could be put into our high schools to promote and encourage young people against even taking up smoking in the first place. That would have an impact on illegal cigarettes and the demand for illegal cigarettes.

I am wondering if the member would agree that the government could be doing more and could even use some of the resources it is currently using in the exploitation of tax dollars to finance advertising for its economic action plan. Does he not agree that there is some benefit in reallocating those dollars and putting them into ways to decrease the demand for cigarettes in general?

Mr. Mark Strahl: Mr. Speaker, our spending to promote government initiatives is much lower than the last year of Liberal government. We have also increased our spending on health transfers. It will be up to \$40 billion by the end of this decade. Members can contrast that with the Liberal Party record of cutting \$25 billion in health and social transfers.

Young Canadians know the dangers of smoking, but we need to reach out to them where they live. The way we could do that is at the local, provincial and local school board levels. Those are the levels that are going to reach out with an individual plan that will work best for those communities. To have a one-size-fits-all approach from Ottawa is not the best way to do it.

Government Orders

We have given an unprecedented level of resources to the provinces to deal with education and health care. They are in the best position to direct those dollars.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, my colleague has pointed out some personal stories of people who have been impacted by addictions to tobacco. All of us could share too many of those, unfortunately, and too often the stories start with an introduction to tobacco at a very young age.

I would like my colleague to comment again on the importance of dealing with contraband tobacco as it relates to high school students and even younger students becoming addicted to tobacco because it is so readily available through the contraband route.

Mr. Mark Strahl: Mr. Speaker, when we were talking about young people, both of the individuals I referred to started smoking early in their teens, and it led to tragically shortened lives. One of the things that we know affects youth smoking rates is the cost of cigarettes and whether they are available at a cheap rate.

The Parliamentary Secretary to the Minister of Public Safety pointed out that one-third of the cigarette butts found at Ontario high schools are contraband. The reason is that young people generally cannot afford to pay for regulated tobacco products, so they look to a cheaper product.

Contraband tobacco is actually targeting our young people. It makes it easier for them to get into this highly addictive and deadly habit. We need to stop the supply of contraband tobacco, which will reduce youth smoking going forward.

• (1605)

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, it gives me great pleasure to offer my support of Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco). It is another example of the commitment of this government to the safety and security of Canadians.

I am pleased to speak to the merits of the bill for two main reasons. First, by creating a new Criminal Code offence regarding the sale and distribution of contraband tobacco with mandatory minimum penalties for repeat offenders and by establishing a 50-officer RCMP anti-contraband force, the government is fulfilling the commitment it made to Canadians in its 2011 election platform.

Second, by carefully tailoring the measures in the bill, especially those related to the penalties provisions, the government has created an effective vehicle to stem the tide of illicit tobacco that is washing over Canadian society.

As I will discuss, this tide of large-scale criminal activity raises serious concerns not only for Canada's fiscal health but also for the physical health of Canadians.

Before I describe in more detail the measures proposed by Bill S-16, allow me to provide a bit of context for hon. members that may help them to appreciate the gravity of the problem that Bill S-16 seeks to address as well as the careful way in which the bill has been drafted to accomplish its goal.

At the outset, it should be noted that according to Health Canada figures, in 2011 Canada's approximately five million declared smokers consumed between 125 million and 150 million cartons of

legal cigarettes. Given the illegal nature of the manufacture and distribution of contraband tobacco, it is very difficult to estimate how much market share is occupied by these illegally produced tobacco products in Canada. Studies of the issue provide figures ranging from as low as 12% to as high as 33%, with significant provincial variations.

Some of the human costs associated with illicit tobacco trade have already been mentioned. The first and most obvious is the serious health risk associated with smoking, which is exacerbated by the fact that much of the contraband tobacco is of very poor quality and contains harmful contaminants.

In the 1980s and 1990s, the trafficking problem resulted from our own legally produced and less harmful tobacco products being smuggled back into Canada after they had been exported to the United States. While this still happens, although on a smaller scale than 20 years ago, the present problem is that much of the illicit tobacco being consumed in Canada was either illegally manufactured in Canada for the United States in less than ideal conditions or is made up of counterfeit tobacco products imported from abroad.

We know that smoking legally produced tobacco products is dangerous; it is even more dangerous to smoke the adulterated or contaminated products that are provided by illegal sources.

Who is smoking contraband tobacco? Here we come to another of the human costs to which I referred.

At a time in Canadian history when smoking is declining, we find that two of the groups most likely to purchase illicit tobacco products are teenagers and young adults. These, of course, are the very people we wish to most discourage from smoking at all.

In short, the illicit tobacco industry is not only supplying an existing clientele; it is also cultivating a new clientele base that will enable it to flourish into the future.

This leads me to another and more dangerous human cost associated with contraband tobacco that I wish to mention. It has to do with the respect for the law and the attitudes that allow illicit tobacco sales to thrive in this country.

In a 2009 report to the Minister of Public Safety, the task force on illicit tobacco products pointed to four reasons that illegal tobacco products are in such demand in Canada: first, the motivation of smokers of all ages to find low-cost options to satisfy their tobacco cravings and addictions; second, low public appreciation for the harmful consequences of illegal tobacco markets; third, the ease of access to illegal tobacco products; and fourth, the fact that illicit manufacturing and sale of tobacco products was not only tolerated on first nations reserves, but was an important source of revenue there.

• (1610)

There is something wrong when Canadians think it is acceptable to purchase an illegal product, especially when its production and distribution is so intimately connected to organized crime activity in Canada and abroad.

Government Orders

One of the benefits of Bill S-16, aside from curbing the illicit production and sale of contraband tobacco would be to help raise public awareness that these are crimes that will not go unpunished.

To date, law enforcement in this area has relied on the Excise Tax Act with its focus on fines and seizure of illegal tobacco products and vehicles. While there have been some high-profile seizures, I think it is fair to say that it has not stemmed the illegal trade in any significant way. Sterner measures are clearly called for.

This is especially so in light of the known involvement of organized crime groups in this illicit trade and the fact that tobacco smuggling is often accompanied by human, drug and weapons smuggling.

In this regard, it is well accepted that the effectiveness of sanctions depends on their severity, their swiftness and their certainty. Bill S-16 would ensure severity by making the trade in illicit tobacco a criminal offence. A new Criminal Code provision would therefore outlaw possession of tobacco for sale, and the sale, the offer for sale, the transport, the delivery or distribution of a tobacco product that has not been stamped in accordance with the Excise Act.

Criminal law is a powerful tool. It would be utilized by federal prosecutors who would have concurrent jurisdiction with provincial Crown prosecutors to enforce this new sanction. The swiftness of criminal sanctions would be enhanced by the creation of a special 50-officer RCMP task force that would focus on the eradication of illicit tobacco trade.

As we know, better and swifter enforcement begins with the investigation and the arrest stage of criminal proceedings. With these new resources, the authorities should be able to make a real dent in the illicit tobacco industry. Mandatory minimum penalties for repeat offenders would ensure the certainty of punishment, the third criterion for effective law enforcement.

The maximum penalty for a first offence would be up to six months' imprisonment on summary conviction or up to five years' imprisonment in the case of an indictment. However, repeat offenders in cases involving 10,000 cigarettes or more, 10 kilograms or more of another tobacco product, or 10 kilograms or more of raw leaf tobacco would be sentenced to a mandatory minimum of 90 days' imprisonment on a second conviction, a mandatory minimum of 180 days on the third conviction and a mandatory minimum of 2 years less a day on any subsequent conviction.

These are serious offences. Let us recall that they are minimums. Sentencing judges are free to go beyond them on a second, third or subsequent conviction, depending on the circumstances of any individual case.

In closing, Bill S-16 deserves the support of this House and of Canadian society in general. It would tackle a serious and growing problem that deserves our immediate and focused attention. I therefore urge all hon. members to join me in supporting this worthwhile and carefully crafted legislation.

I remain ready, willing and most desirous to answer any questions members may wish to pose.

•(1615)

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, I found it most interesting, listening to this member speak on this particular subject.

As far as all caucus members on this side know, this member knows a lot about this issue. In fact, he has been raising it, time and time again, with all of us in different meetings. I am sure he is very pleased that we are finally moving forward on this.

It is a challenge, and he has shared the challenges in his region of Canada. We all share this; even in my riding of Macleod we face this challenge. I will never forget one evening, walking down one of the main streets here in Ottawa, walking home and seeing the trade in plastic Ziploc bags of contraband tobacco. It was in full sight.

I wonder if the hon. member can provide some of what is in this piece of legislation that would perhaps help us stop this illicit trade in contraband tobacco.

Mr. Rick Norlock: Mr. Speaker, the hon. member from Macleod is very right. I have been pushing, shoving and stomping my feet with regard to our government taking some action in this regard. I know we have taken many steps, but to me this is one of the most significant steps because it now makes it a criminal offence to be engaged in the sale, delivery, distribution, transportation and possession of these illicit cigarettes.

Representatives of the confectionery industry have, I am sure, come to most of the members in this place and told us of many of their members having to close their doors because the sale of legal tobacco has now ended or been significantly reduced in their particular area because of illicit tobacco, most of which is distributed by and has been backed by organized crime.

We have outlined this and we have had questions. Children in primary and secondary school are buying cigarettes at five cents apiece, being hooked on illegal tobacco. I wish the government received zero dollars from the sale of legal tobacco. That would be a huge benefit to this country in the health care costs. However, it is a legal drug, this nicotine that we are stuck with, and we need to at least curtail its growth. We have been somewhat successful. By this illicit trade in illegal tobacco, we are now hooking children—I say “we” because we have not done enough. Our government is doing as much as it can, and this legislation would push that, but we need to do more.

With this legislation, my constituents would begin to see that they are pushing their member of Parliament, and this government has gotten somewhere.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, of course I work with the hon. member for Northumberland—Quinte West on the public safety committee, and I have enormous respect for his experience in this field.

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I think the member knows from being in policing that one of the best ways to make progress is through knowledge of the community and consultations with members of the community. What this looks like to me is the same old Conservative playbook on contraband tobacco. I wonder how many consultations were done with first nations, with the provinces and with others involved in this area, before producing this bill.

Mr. Rick Norlock: Mr. Speaker, the first area of consultations is with our own constituents. In the last seven years, almost every second month someone has come to me and asked what I am going to do about the people who are selling illegal cigarettes out the back door and closing legal businesses, in particular the corner stores that we all go to on a Sunday afternoon when most of the big stores are closed, where we go to buy our chocolate bars or lottery tickets or whatever we are going to buy. These stores are drying up around my area, especially the little “mom and dad” operations that are not associated with the big chains. They are the people being put out of business by the sale of illegal cigarettes.

We all know where most of them are emanating from, and I have to say it in this House that they are emanating from mostly first nations territories where somehow, some way, these illegal cigarettes are being sold. What is more, they are now being sold in our schoolyards.

This very House, in a previous Parliament, did an exhaustive study on the sale of illegal and illicit cigarettes. It is out of that study that this legislation emanates. I mentioned in my speech that there was a panel that advised the Minister of Public Safety on it; so we have done those consultations.

The time for consultations is over, and the time for action is now. That is why we ask that Bill S-16 be supported.

• (1620)

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I want to start with a bit of personal history. Many lives were saved in my family by my grandfather. In 1964, there was the release of the report of the U.S. surgeon general on smoking and health. It was a U.S. report, yes, but a very influential one throughout North America. That report really changed opinion on smoking in North America. Before that report, there was still a debate about the dangers of smoking, which was fuelled by the propaganda of the tobacco companies against the research that was beginning to show the serious harms to health. That report demonstrated a causal link for the first time with incontrovertible evidence that there was a 70% increase in mortality rates for smokers over non-smokers and a 9 to 10 times higher risk of lung cancer.

My grandfather, whose name was John Garrison, put out his last cigarette. He had smoked since he was a kid. More importantly, he said any family member who went to his house would also stop smoking that day. He enforced that on everyone in our family. At the time, I was 13 and it made a very big impact on me. I have never been a smoker as a result of that very strong role modelling he did in the family. There were a few of my cousins who still sneaked around out back, I admit, but he saved many family members. There were many heavy smokers in my family at that time and his influence was very important. At that time, we saw the beginning of a change in social attitudes toward smoking.

A second report I also want to give credit to is the 2009 report of the Canadian Expert Panel on Tobacco Smoke and Breast Cancer Risk. This demonstrated the link between breast cancer and smoking, but it did something even more important. The report showed incontrovertibly the link between second-hand smoke and breast cancer. It was very important in changing people's attitudes about smoking, important in their accepting that second-hand smoke was dangerous, particularly for women, and that the risk of breast cancer increased between 10% and 30% for those exposed to second-hand smoke. We have seen the social mores change to where smoking has been banned in bars, pubs and restaurants, not just to protect smokers but, in fact, to protect those who have never smoked from that increased risk of cancer.

There is no doubt about the seriousness of this issue and the social concern in Canada regarding the issue of smoking. As my hon. friend from Northumberland—Quinte West said in his speech, the biggest impact we are seeing is on young people, and the biggest impact of contraband tobacco is definitely among young people. We on this side are supporting this bill going to committee because we believe that this is a serious problem and that we can change social attitudes about contraband tobacco. Again, my hon. friend made reference to that in his own speech. People need to understand the reasons why contraband tobacco has to be limited or wiped out in this country.

My hon. friend will not be surprised that New Democrats will be asking some serious questions when the bill goes to committee about the effectiveness of the measures proposed in this bill. Members speaking previously, in particular the Parliamentary Secretary to the Minister of Public Safety, have pointed to this bill as targeting organized crime. I have questions that I know we will be asking in committee. We need to ask the experts whether higher penalties and mandatory minimum sentences actually deter people involved in organized crime. Frankly, I do not know the answer to that with regard to contraband tobacco, but I do know that the evidence in almost all other areas of law enforcement is that organized crime carefully counts the risk when it gets involved in crime. However it is not counting the risk of longer penalties or minimum sentences; it is the risk of getting caught that is calculated.

Is a mandatory minimum sentence really going to deter organized crime? Most people involved in organized crime are not the people actually transporting the goods and not the ones who are going to end up with the sentence. They are the people organizing and profiting from it. I do not really know in the case of contraband tobacco, because I am not as familiar with that, as it is not as large a problem in my own community as it is in many others in Canada.

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In every other area, as I have said, we have seen the impact of mandatory minimum sentences and longer sentences. It usually happens to the little guys, as I mentioned, the people who are carrying out the orders of the organized crime syndicate, the people who, for whatever reasons, are living in near-poverty, perhaps affected by mental health problems or addiction or having problems getting by and supporting a family, and taking the opportunity that is offered by organized crime to make a little extra money in participating in the smuggling of contraband tobacco. I believe they are the people who are going to get hit with longer sentences and mandatory minimums.

● (1625)

One very serious question that we will be posing in committee is whether this is the right tool to get at organized crime as the government has claimed and what consultations did the government do with experts in the area to find out whether this is the right hammer to use for this nail, if I can use that analogy, which gets overused many times in this House.

Another question we will be asking is whether the government has looked carefully at sentences that have already been given out for repeat offenders in the area of contraband tobacco. We could look at the bill and it might say that for this amount of tobacco and this many offences there would be a mandatory minimum of *x* amount of time. What I suspect we would find, as with many other bills the government has introduced, is that judges already hand out far longer sentences than the mandatory minimums. There is a kind of perverse effect in some areas where mandatory minimums may actually have driven down the amount of time some people are spending in jail. That is for some people. They will increase the time most people are spending in jail. However, have we actually looked at what judges are doing in this area before we brought legislation in to establish these mandatory minimums?

There is a very interesting study that was done quite some time ago in Canada where the public was given the facts of a crime and asked to assign a sentence for it. In something over three-quarters of the cases, the public assigned lighter penalties than the judges had actually assigned in the cases.

Therefore, one of my questions is, after seven years of the government appointing judges, why does it not trust the judges it is appointing? What is wrong with the judges it is appointing? Does it not trust them to make decisions, in these cases where they have to establish mandatory minimums and take away that discretion from judges? We will be asking what the real situation is for sentencing at the present time in cases dealing with contraband tobacco and who is getting sentenced. Is it the kingpins of organized crime who are getting sentenced? I doubt it. We need to ask those questions, such as is this the right hammer for this particular nail? We have some doubts on this side as to whether that is true.

However, recognizing the importance of this issue, again we are supporting this to get it to committee, to try to find out from expert witnesses the best ways of tackling this problem, of keeping contraband tobacco out of the hands of our kids and of reducing the social impacts of this tobacco. I guess I can say that I cannot wait, although there are many of us who would like to speak to this bill and I am not sure that we needed time allocation to get through a bill

like this. However, it is not the first time it has been used in the House

When we look at what is happening with the Canada Border Services Agency, we see enormous cuts. The government likes to tell us there have been increases in first nations policing and in border services funding. However, if we go back to year zero and calculate the increases from the very beginning, there are always increases. What we have seen in the last two budgets is reality. We have seen severe cutbacks in the funding for CBSA and for public safety in general. Budget 2012 announced a cut of \$687.9 million to the public safety expenditures. The RCMP saw cuts of \$195.2 million. Let us think back to how organized crime calculates: it calculates the chances of getting caught. Let us cut the RCMP. Let us reduce its ability to do enforcement work and see the impact that would have on contraband tobacco.

The CBSA saw cuts of \$143 million. Those are spread across the country; when we do that it may not sound like much. According to the union, it may result in 325 positions across the country, and in British Columbia that would be something like 50 positions. Those are front-line positions. The rest of the cuts are in the back office. That sounds good. It makes us think of an accountant or someone doing photocopying. What are the back office functions in the CBSA? The union has estimated that this would cost 100 jobs in the intelligence functions of the CBSA because that is a back office function. Therefore, there would be 100 fewer people analyzing the data, looking at the patterns and trying to figure out where contraband tobacco is coming from and working on problems like that.

● (1630)

That was the 2012 budget. These cuts continued in 2013 and additional cuts were applied on top of those.

Most important probably in 2013 was the failure to renew the police officer recruiting fund. The issue of first nations policing was raised earlier. Cancelling that fund caused the loss of 30 front-line first nations police officers in Ontario.

In addition, the 2013 plan and priorities for public safety announced an increase of \$20 million in countering crime and a \$2.4-million decrease in national security. Even in its own report, the department said "That the Government Operations Centre infrastructure may be unable to support a coordinated response to large-scale or multiple significant events affecting the national interest [and] that current policies and strategies may be insufficient to address the evolution of organized crime". The government made cuts to the funding of the fight against organized crime, the very people the government said are responsible for contraband tobacco.

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One of the things we are going to be asking in committee is why not apply the needed resources for enforcement. I am going to make the same argument that is made everywhere else, and that is, if organized crime is calculating its risks, then let us make it calculate that risk at the front end by putting resources into enforcement where they are really needed.

The last speaker, and this time I will not name him, said, and I am not sure the term he actually used but I think he said that most of the contraband tobacco is coming from first nations. I met with the tobacco companies and I asked them that question. They admitted to me that they estimate that over 50% of the contraband tobacco coming into this country is coming through the Port of Vancouver from China. Often we focus too much on what is only one single source of contraband tobacco and we ignore the large one.

Why is it coming from China through the Port of Vancouver? There are two reasons for that. The first reason is that there is a huge illegal tobacco manufacturing industry in China. It is underground and it avoids Chinese taxes and regulations. Producers are already producing illegally. The second reason is that the cuts that we have made to the Canada Border Services Agency mean that not one single container coming through Vancouver port is actually opened and inspected unless there is a specific tip or piece of information about something illegal being in it.

Containers coming through Vancouver are not inspected anymore. Many of them are loaded on trains and arrive at a large rail yard in Ontario where there is one inspector for containers. While I have not been told directly, I am sure the same policies are in effect. One person cannot open and inspect all the containers. I suspect the policy in place in Vancouver is probably also in place at the rail yard Ontario: that containers are not opened unless somebody has said that X is going to be found in one. Who would say in that container we are going to find this? That would be done by those intelligence officers with the Canada Border Services Agency who are being laid off.

The situation in Vancouver with contraband tobacco is going to get worse. Probably what is most shocking about contraband tobacco in Vancouver is that it is high-quality fake. I have actually seen some of it. We cannot tell these packages from legitimate cigarette packages, including the fake excise stamps on them. They are almost impossible to distinguish. When we are trying to discourage the public from buying contraband tobacco, this is a problem.

How does one get hold of these cigarettes? I do not smoke, as I have said. I do not buy cigarettes, but I do know some people very close to me who unfortunately do smoke. In Vancouver, one can go to any number of corner stores and ask for the special or the cut-rate cigarettes and they are brought out from underneath the counter. They look just like regular cigarettes but people pay a lot less.

The other thing about those Chinese contraband cigarettes is that we do not know what is in them. As a result of being produced illegally and without inspection in China, I would hate to think what kind of things get put into those cigarettes as filler. There are probably very large health risks involved.

When we are talking about this issue we are going to have to pay attention to what tobacco companies will say is becoming an

increasingly large part of the problem, and that is contraband cigarettes coming in from China. I do not see anything in this legislation that would do anything about that very large problem in terms of contraband tobacco.

•(1635)

A contributor to this, of course, was the Liberal Party in the 1990s. We used to have federal ports police in Vancouver. They were funded. They did inspections on containers and had people working intelligence on the illegal goods coming in.

I am going to have to include our friends down at the far end here who have been very sanctimonious on this but who have actually contributed the initial problem in the Vancouver port with all kinds of counterfeit and illegal goods by eliminating the ports police. They said to the municipalities of Vancouver and Burnaby, "It's up to you, boys. We're just leaving it to you. No funding. No assistance. You now police the port", so what do they do? They maintain their highest priority, which is protecting their citizens, and they do very little in the area of the ports in Vancouver and Burnaby because it is not really their responsibility as civic police to do that.

Are there better ways to tackle this question of contraband tobacco? I believe there are.

The hon. member for Northumberland—Quinte West came with the public safety committee to visit Prince Albert, Saskatchewan and Calgary. We saw some very impressive things going on in those police forces. On a very regular basis, in the case of Prince Albert a weekly basis, the police were brought together around the table with social service, mental health, addictions and child protection agencies, and a representative of the Grand Council of First Nations. They tackled individual high-risk, high-demand on the police system cases on a family basis and delivered services to those families. Prince Albert has a very impressive record for the first year of this new system, which is called the HUB system. They have reduced violent crime by 38% in a year in a community that has high rates of poverty, addiction and alcoholism. They have made very significant progress in building a better community, the most important thing, but also in reducing the demand and costs for policing and allowing them to reallocate police resources to things that we would think of as normal policy duties rather than social order kinds of responsibilities.

When we are thinking about contraband tobacco and needing police resources, which I believe we do, to do the enforcement work in this area, where are we going to find them if we do not free up resources in policing?

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Our committee is working on a report that we will be done in the fall. I know that members of all parties were very impressed with this model of policing. Rather than more mandatory minimums and longer sentences for these kinds of things, maybe we need to look at that new model of policing. This would free up resources so that we could do the enforcement that would be really effective in getting at the real causes of problems with contraband tobacco and the largest problem, which I would assert is China and the lack of inspections in our port in Vancouver.

I know I am probably getting close to the end of my time. Let me wrap by saying, once again, we on this side do acknowledge contraband tobacco is a problem. We would have liked to have seen the government consult more, work with first nations communities, work with others who have been involved in this field to find what things would be really effective instead of going back to the old playbook and bringing out increased sentences and mandatory minimums as the only solutions.

In committee, we will be asking government members those questions. If they can show us the evidence that these are going to be effective, they might be able to get our support. The problem is they are not effective anywhere else. They are not effective in any other area of law enforcement.

In any event, let us have that debate. Let us see what the experts say about contraband tobacco. Let us see what they suggest would be good solutions to this when we get to committee. Then I hope the government will be open to some other approaches to this kind of problem and not what we have seen too often in this House, which is, "Take or leave it. Here's the legislation. We've introduced it. You've only got, let's say, four hours to debate it. We're not going to amend it and we're going to pass it". To me that is not the way this House of Commons should work.

I have to say to my colleagues from Medicine Hat and Northumberland—Quinte West and the public safety committee, we have tried to have a more consultative model. We have tried to work together to find common solutions. I would like to see that happen, not just in our committee, but also on the floor of this House of Commons.

• (1640)

My hope for Bill S-16 is that we will be able to work together on what is really effective and accomplishes what we need to do to keep contraband tobacco off of our streets, out of the hands of our kids, and from making negative contributions to our health in this country. I look forward to having that debate with the Conservatives and working with them to find the real solutions to the problem of contraband tobacco.

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, I listened intently to my colleague's comments.

Certainly, we did have an interesting committee session. We visited various communities across Canada and listened to people about what they are doing.

I was also listening when the member talked about the cuts to CBSA. I believe the member was present when the Minister of Public Safety was at our committee meeting. I do not have his exact words, but he did say that there are no cuts to front-line officers.

Therefore, I know the minister indicated they were looking for efficiencies.

I wonder how the member could suggest that the CBSA had cut front-line officers.

Mr. Randall Garrison: Mr. Speaker, I will say again how much I enjoy working with the member for Medicine Hat on committee. I find him to be a very sincere and dedicated MP, even though we do not agree 100% of the time. A case in which we do not agree is on the statement by the minister that there are no front-line cuts.

I will be very careful how I phrase this in the House because I cannot accuse the minister of deliberately misleading the House. However, I will say that when we met with the union and talked about what has actually happened in the CBSA, they told us about the number layoff notices that had been given out. It is difficult to square the layoff notices with the statements of the minister in committee.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the member for Esquimalt—Juan de Fuca made a very thoughtful and reasoned speech. I am so delighted that I was able to hear him.

As the official opposition finance critic, I certainly am familiar with the austerity measures of the Conservative government and the many cuts it has made to various departments, programs and services. It is extremely difficult not only for ourselves, but also for the Parliamentary Budget Officer to get the details on these things. In fact, there is an ongoing court case on this matter.

I have to say how distressing it is to hear that 50% of the contraband tobacco is coming in through the port of Vancouver and that there are thousands and thousands of containers that are not inspected. I am from the city of Toronto. I see the rail yard and the thousands of containers there, and the member is telling me there is one inspector who is probably doing spot checks in reaction to problems that are highlighted.

In light of the very serious challenges that contraband tobacco has with respect to our children's health, and not even knowing what could be in contraband tobacco as the member rightly pointed out, does he believe we should have complete upfront access to all of the information about the CBSA so we can see person by person, city by city what the representation is?

As Canadians we want to be assured that we are not cutting border security services. We want to make sure that these products are stopped from entering our country. It sounds as though we should be beefing up our border security agency.

Could the member respond to that please?

Mr. Randall Garrison: Mr. Speaker, I thank the member for Parkdale—High Park for her compliment on my speech. Of course, I want to return the compliment on the excellent work she does as our finance critic.

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I know the member is as disappointed as I am to see the party on the other side, which came here dedicated to accountability vote against our leader's private member's bill that would have given full independence to the parliamentary budget officer so that we could actually get at the facts. Rather than stand here in the House and debate numbers that are uncertain in many ways, with one side saying what they really are and the other side saying they do not like it, the parliamentary budget officer, as an officer of Parliament, would provide that to all of us. We could then get down to debating the reality.

The other thing I would say is that we try to be very consistent on this side in saying that we do not oppose spending money on law enforcement. We think it is much better to spend it there than on lengthy imprisonment or mandatory minimum sentences. Let us spend at the front end on enforcement where we would actually build safer communities and increase the security of all of our citizens instead of just spending the money at the back end of the process by putting more people in jail for longer periods of time.

● (1645)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I thank the member for Esquimalt—Juan de Fuca for his excellent speech. We are friends and neighbours in southern Vancouver Island.

He talked about the front-line cuts with respect to border service agents. That is a key component as we look at this bill.

The other piece that I am looking at is the cuts that have taken place in tobacco awareness, addiction awareness and working on a preventative health basis. I am going on memory, but I believe that one of the first round of cuts was in the spring of 2006. There were cuts to tobacco awareness and addiction programs in first nations communities. There have been other cuts as well on this.

I wonder if my hon. colleague has some thoughts about a more holistic response. We have to reduce the problem of addiction to cigarettes while we also fight the contraband cigarettes.

Mr. Randall Garrison: Mr. Speaker, I do not have the figures in front of me, but I too remember there were lots of cuts in the preventative health measures. That is a great concern.

Again, I cite the example of Prince Albert, which has this hub model, where they bring addictions counsellors to the table with the police and other social service agencies. Instead of imprisoning people, let us get them into a treatment or addiction program.

The same kind of parallel applies with contraband tobacco. If we reduce the demand for tobacco, we obviously are going to make the battle against contraband tobacco easier, and we are going to have a healthier population as well.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, the member is a true gentleman. I can say this having dealt with him in committee. Even in his debates in the House, he always tempers his words in a way that we should be very proud of, and that every one of us should take heed of.

When we talk about trusting judges, there have been changes made to the Criminal Code for over 140 years. Penalties have changed and usually are increased.

When he says that we need to have more people in enforcement, this bill would put 50 additional RCMP officers directly on this illicit trade.

When he talks about how we do not know what is in the cigarettes, I agree with him. We know that in legal cigarettes, there are 4,000 chemicals and 70 of those are known to cause, initiate and promote cancers. When he talks about our young children smoking, he is definitely right. When he talks about second-hand smoke in relation to breast cancer and cancers among women, it is a proven fact that tobacco is one of the leading causes of breast cancer. It is young women who are actually being enticed into this terrible tobacco addiction.

There is an argument in that he says that the union says one thing and we say that the minister says something else, and who is right. I agree with him that it all depends on one's perspective.

With regard to time allocation, I do not know how to say this more strongly and yet remain within the bounds of being parliamentary. This Parliament and previous parliaments have looked at organized crime. I remember that study. I was on the committee. We talked about tobacco. We know where it is coming from.

All the good member has to do is visit my riding. In a small first nations territory of 430 people, he will see at least seven outlets on the main road and gosh knows how many on the side road. He is right about illegal tobacco coming in from other countries, but he also neglected to mention—

● (1650)

The Acting Speaker (Mr. Bruce Stanton): Order. I do not mean to cut off the hon. member, but we need to leave some time for the hon. member for Esquimalt—Juan de Fuca to respond.

Mr. Randall Garrison: Mr. Speaker, I thank the hon. member for the summary of my speech. Because there was so much in there, I get to pick and choose which things I want to reply to.

For me, the most important question is the one about numbers. He said that the minister says one thing and I say another. All of us get frustrated by those kinds of debate. When we talk about the loss of front-line officers and we talk to the union, we are talking about the actual number of letters issued by the CBSA to people saying that their job is being affected and that they may lose their job.

Mr. Rick Norlock: May.

Mr. Randall Garrison: Well, if nobody is going to lose their job, why would they issue the letters?

The minister said “may”, but the letters indicate that people are going to lose their jobs. The union is working from real letters issued about real layoffs that are occurring in the CBSA.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, first of all, I would like to thank my hon. colleague from Esquimalt—Juan de Fuca for his absolutely amazing speech.

Government Orders

Before he even began speaking, I jotted down a question on my paper. There is a tendency to think that contraband tobacco comes primarily from first nations. I am glad he gave an overview of the situation and dispelled that myth.

According to an article published in national media outlets a few months ago, some estimates suggest that not 50%, but closer to 90% of illegal tobacco in Canada comes from China. That is a huge proportion. This illegal tobacco is entering Canada through British Columbia, where my colleague is from.

I completely agree that we absolutely must examine this problem in committee. However, are there not better ways to invest our resources? Could we not go a little further and do more?

I think everyone here wants to act in good faith. However, I feel as though we are getting away from the crux of the issue. I wonder what my colleague thinks about that.

[*English*]

Mr. Randall Garrison: Mr. Speaker, I think the member for Alfred-Pellan, with whom I work as the deputy critic of public safety, is doing a fabulous job in that critic portfolio.

I missed the article that said it was 90%. I was going on my conversations with tobacco companies which said it was at least 50%. I would not be surprised if it was 90% coming from China, because it is a huge illegal industry in China to start with. When they see an opening, such as the uninspected containers in Vancouver, I am sure they will shove as much product through that opening as they can.

Again I come back to the fact that we are talking about health. We are talking about the health of young people, the health of kids, the health of young women and the connection to breast cancer. It is important that we attack the right part of the problem.

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, it is my pleasure to speak today to Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco) and the proposed amendments to the Criminal Code to create a new offence of trafficking of contraband tobacco.

I have been here for most of the day listening to the speeches on Bill S-16. As chair of the Standing Committee on Justice and Human Rights, it is my understanding the bill will go to the justice committee for review and just as we reviewed Bill C-54, we accepted amendments from both the Liberal Party and the New Democratic Party last night. Today I tabled the report in the House. It was well analyzed with a number of witnesses. From those witnesses, a number of amendments were proposed and in fact accepted. The amendments from the Conservative Party, the Liberal Party and the New Democratic Party all passed.

Bill S-16 started in the Senate and we are debating it at second reading right now. There will be a vote, hopefully in the very near future, and Bill S-16 will move to committee where a number of the questions that have been asked today will be properly vetted with witnesses and bureaucrats who are responsible for implementing these changes so we understand what the effect will be on the Criminal Code.

The bill would provide mandatory minimum penalties of imprisonment of persons who are convicted for a second or subsequent time of this offence. It is important for everyone to understand that the mandatory minimum approach we have taken on a number of bills is important to give gravitas to the issue in front of us.

It is very important that we send a message to those who are in the business of contraband tobacco, whether they are traffickers, or selling it in small components to individuals, that it is illegal. It was indicated earlier that those who were in the business of not obeying the law often took into account what the penalties would be and used that as part of the cost of doing business. If there are no mandatory minimums, just fines, they price that risk in their product. They will decide what risk level they are willing to take.

It is important, not just in this case, but in many cases that the Government of Canada look at mandatory minimums, and we are doing it in this bill, so we let those who are willing to break the law and circumvent it know that there is a real penalty to be paid, a much more difficult penalty they cannot include in the cost of doing business.

I am fully in favour of mandatory minimums and in this case new mandatory minimums for this new level of offence. I believe it is fair. We are saying that it only will apply after people's second offence. Let us say, for argument sake, that individuals who make a mistake, are caught up or there is peer pressure, whatever the issue might be and they become involved with contraband tobacco. There is no mandatory minimum for that. However, if people make the mistake twice, they have consciously made that effort. They have built in the cost of making that mistake the first time and are now doing it another time.

It is time for the Government of Canada, through the Criminal Code, to say to them that they knew what they were doing. They broke the law and faced a penalty previously, but now they face a much more severe one with a mandatory minimum. I have no issue with that. My true belief is that the vast majority of the people of Burlington also believe in mandatory minimums.

● (1655)

There is another very important piece to the bill. As member of Parliament, every two or four years if we are in a minority position, we have a platform. Every party has a platform. We go to the people and talk about what we will accomplish if they give us the confidence to form government.

Fortunately for us, in 2011 the public gave the Conservative Party of Canada a majority in the House of Commons. Part of that decision-making of the people of Burlington and the rest of Canada was our platform. What did the party stand for?

There are certainly other factors. There is the leader, the policy of the party, the platform during an election and the individual candidate. I would hope that some people in Burlington voted for me because they liked me, but I cannot prove that. It might be my wife and maybe my daughter, but I cannot prove that either.

Government Orders

People talked to me during the election about the platform and what we were proposing to do if we formed government. Part of that 2011 election platform was a commitment to reduce the problem of trafficking of contraband tobacco by establishing mandatory jail time for repeat offenders of trafficking in contraband tobacco.

It was clearly stated in our platform. In fact, part of my literature and part of the campaigning I did included a discussion on mandatory minimums. This was part of what we promoted.

That was two years ago. Some people think it has taken us a while to get here. I do not hear much about in my riding, but my colleagues in caucus were persistent that we needed to move on this, that it was a real issue for them in their ridings. It could be an issue in my riding of which I am not aware.

I am fortunate enough that I and my wife are non-smokers. My two daughters who are young adults are non-smokers. They will have a number of their peers over to our house. There could be as many as a couple of dozen and there are no smokers in that group. I do not have the exposure to that. However, I have been told that it is an important issue at the high schools in my area.

We have the ability to look at what we promised during the election and what we are able to deliver to the people of Burlington and to the rest of the people of Canada. We are moving on that. It took some time. I think we took the appropriate amount of time to look at options to tackle this problem.

This is not an easy problem to tackle. As we have just heard, there are a number of sources for contraband tobacco. It could be offshore or domestic. It could be from south of the border. The sources are difficult. The ability to track and find these sources is a difficult one for police and border services officers.

We promised mandatory minimums in our election platform. We have brought forward some legislation that will meet the commitment we made to the public. We have also said that we cannot just put mandatory minimums in without providing some resources to ensure we can implement them. That is why we have created a special task force, I believe it is up to 50 officers from the RCMP, to tackle this problem.

● (1700)

Having 50 officers will not end the problem overnight, but it is a great start for us to tackle this issue. It has put a focus on the problem that we have been having in our country and, in particular, in certain parts of Ontario to a greater extent than others. It has affected not only certain ridings based on production, but also the distribution. A number of small business owners have come to me and have sent me letters. I have had them in my office talking to me about what this is doing to their businesses.

I am not a proponent of smoking. My mother-in-law had lung cancer. She has had one lung removed. She was a smoker. She has been very fortunate as she is a survivor of cancer. Her lung cancer was over 12 years ago and she lost her brother to lung cancer through smoking. Therefore, smoking, from our family's perspective, is very much frowned upon. We have been lucky that, through the health system, she went on some experimental drugs and her cancer was cured, and we are very grateful for that. We are not big proponents, and that is why I am very much in support of this bill.

I started the conversation of there being mandatory minimum sentences. Let us be honest, some are more significant than others. For those caught in the trafficking aspects, it is up to six months. If it is an indictable offence, it is up to five years. It is significant and I do not deny it. However, it is a significant problem that these individuals have created. We talked about the cost to the health care system and so on, but to me personally it is not about the cost to the system, it is about protecting people's health when contraband tobacco products hit the market.

We know cigarettes are better regulated, produced and properly labelled by a licensed facility. We know they are a health issue. People are well warned on the packaging, which we have increased as a government. It is not any surprise to anyone at any age that these are health hazards. However, the health hazards of tobacco products that are not labelled, and we do not know where they came from and what is in them, are tenfold what the legitimate cigarette producers ensure on those warnings. We have not a clue what is in those other products. That is why we need these penalties to be significant and severe, and I believe this bill would do that.

We have heard from other members today. I do not want to repeat the number of cigarettes that are involved or the kilograms. That information has all been put forward.

The other thing I would like to talk about is why we are moving on this. There was discussion about time allocation on this bill. I believe it is a two-way street in the House, maybe even three-way if there is such a thing. We need to start to work together. We had an example yesterday where we looked at Bill C-54. We had amendments proposed by the opposition. The vast majority of them did not pass, but we did accept one from each party. We have seen—

Mr. Wayne Easter: Wow.

Mr. Mike Wallace: Well, the Liberal Party member at the committee was grateful for that and we made a significant difference. We did hear from the NDP on the same thing. However, our House has offered on a number of occasions recently that we would take a number of spots.

● (1705)

The Liberal Party was offered a number of spots. This was not a secret. It was presented in the House. A number of spots, which was significantly more, maybe seven to 10 times more than the other two parties, were offered to move things forward so that we did not have to move time allocation. That was rejected. Why was that rejected? I do not know why.

I have no issue on bills on which I think there is a significant political difference. However, this bill, and I am using it as an example, I think everyone in the House would like to see go to second reading so that they can have witnesses, have a discussion and move forward on it. We may not completely agree to it in the end, but this is at second reading.

There is an opportunity to move this forward. In my view, that would give us opportunities, in terms of the time frame, since we only have so much time in the House to debate issues, for other more divisive issues.

Government Orders

Listening to the speeches today, everyone has been pretty much in favour of getting this to second reading. To be frank, as a backbencher, I do not know why time allocation had to be an issue. We should all have been able to agree to a different number of time slots. However, that did not happen.

My hope for the fall is that everyone, from all sides, will work together to make sure that bills on which there is general agreement, at least to go to second reading, we will be able to move forward. Bills on which we have a more fundamental difference of opinion we would spend more time on. After seven years of being here, that has been my frustration as an individual member of Parliament. There have been some issues in that area.

I am looking forward to the bill going to second reading. As chair of the justice committee, I am looking forward to getting that organized early in the fall. This will be one of the first pieces of legislation we will deal with. I am looking forward to learning what people and different organizations believe this will do. I am also looking forward to our coming together as a Parliament and promoting this so that we can get the task force in place to target organized crime, go after these issues and make a difference.

The RCMP is an excellent choice to be doing this. I know that there was talk about the Canada Border Services Agency and their role here, and they do have a role. However, I think when we, through this bill, put an emphasis on the fact that it is a criminal offence and that the nation's police force is in charge of that task force, it gives it the authority, the significance and the attention it needs.

I am looking forward to supporting the bill going to committee. Hopefully, it goes to my justice committee, we have a great discussion on it and we get it passed early in the fall.

• (1710)

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, I really enjoyed the hon. member's speech. There was a moment of clarity and honesty we have been looking for all day. It was kind of missing in question period, but it was really nice to see. I do not even know what number we are at right now when it comes to time allocation motions on these bills.

An hon. member: Forty-six.

Mr. Scott Andrews: It is 47.

Ms. Ruth Ellen Brosseau: Is it 46? Anyway, they keep coming.

I have two questions. From all the speeches we have heard today, we are all on the same page. This is important, and we have to move forward. If this was so important to the Government of Canada, I am wondering why this came from the Senate, which is unelected and full of scandals.

Second, is there going to be more financing for local police stations moving forward to actually make a difference and combat contraband tobacco?

Mr. Mike Wallace: Mr. Speaker, we have had a very full legislative agenda, and this is one item. There is nothing wrong with legislation being introduced in the other place and brought here. It speeds things up. It makes things more efficient and effective.

On that point, the member opposite should ask her House leader why New Democrats did not agree to a certain number of speaking slots and agree to move this bill forward. It would be a very good question for the member to ask her own House leader.

I am looking forward to the report from the RCMP task force to see what resources are needed to solve this problem.

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I certainly appreciated the comments from my friend from Burlington. I want to assure him that New Democrats really do like him.

He was talking about suggestions to make things better. I am glad the minister is here today.

Like most members, we spend a lot of time with our constituents in coffee shops and that sort of thing. I wanted to pass along very quickly a suggestion made by an elderly gentleman I have coffee with whenever I can. He said that for contraband tobacco, most of the issue is with first nations, so why not give first nations the ability to tax that particular product. Then the price would go up. I did not really have any comment of my own on that. It was quite interesting. After I thought about it for a bit, I thought that would show that the government was also moving forward on self-government. There is a further side to that.

I do not really have a personal comment on taxation, but I wonder what the hon. member might think about that.

• (1715)

Mr. Mike Wallace: Mr. Speaker, I thank the member for meeting with his constituents and discussing different issues, which we all do. We all get input on a variety of issues.

I can honestly say that I have not heard that suggestion before. I am not fortunate enough to have a large native population in my riding. There are no reserves in my riding. I have not heard about the issue of taxation, but I think this issue is more than about taxation. It is about more than whether the government is losing out on taxation on the sale of cigarettes. There are more important issues. Making this part of the Criminal Code, making the trafficking of this particular drug illegal, sends the message that this is a health issue and not just a tax issue.

Mr. Mark Adler (York Centre, CPC): Mr. Speaker, I listened with great interest to my hon. friend's speech. It was a very thoughtful, candid speech. I want to ask him two things.

First, the opposition is calling for more thought and consultation on the bill. In terms of consultation, I would like to know who the member thinks we should be consulting with. Is it the smugglers? I would ask him to answer that question.

Second, the NDP seems to be putting forward the spin and misrepresentation of facts in terms of the resources committed to Canadian border services. Since 2005, we have seen a 27% increase in financial resources given to Canadian border services and a 26% increase in the number of employees in Canadian border services. We have the resources, both financially and in terms of employees who are available to interdict contraband tobacco or other products that come across the border.

I wonder if my hon. friend could address those two questions.

Government Orders

Mr. Mike Wallace: Mr. Speaker, I will start with the second question first.

I am one of the few members in the House who is very active on the estimates, and I understand the spending. My view of the spending is that it has not changed. However, I find it ironic that the New Democratic Party, on every occasion, wants us to spend more money on this and more money on that and says that we have a lack of resources on this and a lack of resources on that. Then another NDP member will say that we cannot balance the budget and cannot balance our books. They contradict themselves.

The books are a two-sided equation. There are expenses, and there are revenues. The NDP may want to raise taxes to make up the revenues. I never thought of that.

On the consultation piece, that is what second reading is all about. Send the bill to committee. Of course we will not call the smugglers. Why would we invite those whose businesses we are hoping to end? We should be asking those who are directly affected by this illegal activity to come to the committee to tell us if this is the right way or if there is any additional way to tackle this problem.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I wanted to ask a somewhat different question before the member for York Centre asked who we should be consulting and said that the official opposition would be suggesting that we should be consulting with the smugglers.

That is what is wrong with this place. This was, until that time, a fairly sensible debate. I have been here pretty near 20 years. I have never sat through a question period as embarrassed for every one of us as I was today. It is because of the kinds of remarks from the member for York Centre. The government sets the tone in here, and the tone is spiralling down so much that we are all embarrassed by what happens in this House. That question just shows the kind of attitude government members have to sensible debate in this House.

My question to the member on the legislation, the key point, is whether it will work. The government comes forward, in every bill, with minimum sentences. Minimum sentences, I submit, we will see in ten years' time are not the answer. There is much more than minimum sentences required.

Why do we appoint judges? Why do we instill experience in judges so that they can make decisions for extenuating circumstances? That has to be taken into consideration as well. Minimum sentences in themselves will not do the job.

We will be supporting sending this legislation to committee in the hope that proper discussion can take place there.

• (1720)

Mr. Mike Wallace: Mr. Speaker, I will not comment on the comments by the member for Malpeque. I will go to his retirement party when he has it.

Mandatory minimums were not invented by this government. They existed in many parts of the Criminal Code prior to our attaining government. In fact, the Liberal Party of Canada instituted a number of mandatory minimums in a number of areas.

We have, and I think we have done the right thing, increased some of those mandatory minimums throughout the Criminal Code. I am

confident that keeping criminals in jail for a longer time protects people, including those in my riding.

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am pleased to speak on Bill S-16, the tackling contraband tobacco act. This bill is part of the government's continued commitment to taking steps to protect Canadians and make our streets and communities safer. It would fulfill our government's 2011 election policy platform commitment to reduce the problem of trafficking in contraband tobacco by introducing legislation that would establish mandatory jail time for repeat offenders trafficking in contraband tobacco.

Contraband tobacco is a threat to the public safety of Canadians, our communities and our economy. It fuels the growth of organized criminal networks, contributing to the increased availability of illegal drugs and guns in our communities. The availability of inexpensive illegal tobacco does not just undermine our safety and our economy; it also has a negative impact on our public health goals.

The smoking rate of this country is at a historic low of 17%. The percentage of Canadians who smoke on a daily basis is at 14%. Smoking is a major risk factor for cancer, respiratory disease and heart disease. Tobacco smoke contains over 4,000 chemicals, of which more than 70 are known to cause, initiate or promote cancer. Tobacco is responsible for more than 37,000 premature deaths in Canada every year.

In 2012, our government renewed the federal tobacco control strategy for five more years. Under this strategy, the government introduced warning labels on cigarette packages, which now contain a national quit line and a web address for people who want assistance to quit. We also banned small flavoured cigars, which were clearly targeted towards youth. In addition, we launched a marketing awareness and outreach campaign targeted at young adult smokers.

Contraband tobacco is a pressing issue. The availability of inexpensive illegal tobacco products has a negative impact on public health, particularly for our children. Young people are smoking contraband cigarettes in alarming numbers. Criminals are selling contraband tobacco to teens, and the proof is all over our schoolyards. A study conducted on the proliferation of contraband tobacco in high schools in Ontario and Quebec found that nearly one-third of the cigarettes found in Ontario high schools and over 40% of the cigarettes found in Quebec high schools were contraband products. Because contraband cigarettes are cheaper than regular cigarettes, they are more easily purchased by teenagers.

Our government is committed to keeping contraband tobacco off of our streets and out of our communities, where cheap baggies of illegal cigarettes lure our children into smoking. Contraband tobacco is a pressing issue, and the availability of inexpensive illegal tobacco products is a serious problem.

This bill, however, is not just meant to discourage the smoking of contraband cigarettes. It is also meant to address the more general problem of trafficking in contraband tobacco that is propelled by organized crime groups.

Private Members' Business

As most members are aware, there is no offence of trafficking contraband tobacco in the Criminal Code. Currently, the Excise Act is the legislative vehicle used to lay charges and prosecute for offences related to tobacco, including the possession and sale of contraband tobacco. This bill would amend the Criminal Code and establish a new offence of trafficking in contraband tobacco, with mandatory jail time for second and subsequent convictions. Placing the offence in the Criminal Code reflects the serious nature of this offence.

A primary target of this new offence is organized crime groups that are trafficking large volumes of contraband tobacco. Bill S-16's definition of trafficking would range from the sale, possession for the purpose of sale or the offer for sale to the transportation, delivery or distribution of a tobacco product or raw leaf tobacco that is not packaged, unless it is stamped. The terms "trafficking", "tobacco product", "raw leaf tobacco", "packaged" and "stamped" have the same meanings as they do in the Excise Act of 2001.

The penalty for a first offence would be up to six months of imprisonment on summary conviction and up to five years of imprisonment if prosecuted on indictment.

Repeat offenders convicted of this new offence in cases involving 10,000 cigarettes or more, 10 kilograms or more of any other tobacco product or 10 kilograms or more of raw leaf tobacco would be sentenced to a minimum of 90 days on a second conviction, a minimum of 180 days on a third conviction and a minimum of two years less a day on subsequent convictions if they are prosecuted by indictment.

• (1725)

As well, the government is advancing its efforts to combat the trafficking and cross-border smuggling of contraband tobacco by establishing a 50-officer RCMP anti-contraband tobacco force. We have not heard much about that from the opposition, but it is one of the important components of this move forward.

This anti-contraband tobacco force will target organized crime groups engaged in the production and distribution of contraband tobacco. The RCMP will continue to work alongside enforcement partners. Its goal is to have a measurable impact on reducing the contraband market and combatting organized criminal networks.

In 2008, the government established a multi-agency task force to examine ways to combat the trade in and manufacture of illegal tobacco products.

In 2010, our government continued its efforts by providing \$20 million for initiatives to combat contraband tobacco, including funding for the RCMP to establish a special enforcement unit whose sole task was to target the criminal networks behind the manufacture and distribution of illegal tobacco. Bill S-16 would align with the RCMP's contraband tobacco enforcement strategy, which focuses on reducing the availability of and demand for contraband tobacco.

In addition, since 2008 the RCMP has laid almost 5,000 charges, disrupted approximately 66 organized crime groups involved in the contraband tobacco markets and seized 3.5 million cartons and unmarked bags of contraband tobacco, along with numerous vehicles, vessels and properties.

This bill would also amend the definition of Attorney General so as to give the Attorney General of Canada concurrent jurisdiction with the provinces. As such, either provincial or federal Crowns could prosecute pursuant to this new provision.

This represents a serious approach to contraband tobacco activities. The government recognizes that this is action that must be taken.

This is a comprehensive approach. It is complete. It sends out the right message to organized crime elements in this country that this kind of activity will not be tolerated by this government.

• (1730)

The Acting Speaker (Mr. Bruce Stanton): The hon. Minister of Justice will have twelve and a half minutes remaining when the House next returns to debate on this question, and then the usual 10 minutes for questions and comments.

[*Translation*]

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

PERSONS WITH DISABILITIES

The House resumed from May 2 consideration of the motion.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am pleased to speak on this motion. I congratulate the member for Brant for putting it forward. There are a lot of points to be considered. I know he has done a lot of work in the disability community, so he is probably the proper one to be putting forward this motion based upon his experience in that area.

As our critic indicated, Liberals will support the motion. However, beyond the motion itself, we want it to be a call to action for the Government of Canada.

The report that came out is entitled "Rethinking Disability in the Private Sector", and the subtext reads "We all have abilities, some are just more apparent than others".

That is, I think, a remarkable statement. Everybody has talents that we do not see.

I can remember that during my time in the farm movement, when I used to stay in people's homes night after night, I would always find that people had a second talent that was not visible. One farmer whose place I stayed at was an expert in lead glass. He shipped it all over the world. I never knew that until I happened to stay at his house.

When we see people with disabilities, we do not often see that inner ability and talent. Whether they have a mental disability or a physical disability, given the opportunity, those inner abilities and those talents will come out.

Private Members' Business

There are a couple of things that should be mentioned about that report.

Number one is that there is a business case for employing people with disabilities. It states that there are 795,000 working-age Canadians in that category and that 340,000 of them have post-secondary education.

We hear in this House and we hear in our communities all the time that there is a shortage of skilled workers, a shortage of all kinds of workers, and although we are looking at the business sector being involved in this area, there is a real opportunity to give people with disabilities an incentive so that they have a better quality of life for themselves and can take pride in the work they do.

The other side of the coin is that they can be productive in a job and in the Canadian economy. That potential is pretty good when we look at 795,000 people, with 340,000 of them having a post-secondary education.

The report states clearly that there are myths and misconceptions in the business community about the costs and risks associated with hiring people with disabilities. It claims there are no costs at all in half the cases—I am going from the study—to accommodate a person with disabilities, but that on average the cost is \$500. That is a pretty small down payment to get a loyal and engaged employee, as the report talks about.

I have seen people with disabilities in my riding. I know people who, if they could get a job and have the atmosphere and the technology they need to do a job in a productive way, would turn out to be the most faithful and loyal employees any employer could have, as they would appreciate the employer working with them so that they could have the opportunity to work with that employer.

• (1735)

The report, “Rethinking Disability in the Private Sector”, provides a good basis, a good foundation for moving forward.

The motion itself has five sections, and due to time I will concentrate on the last one. It says:

(e) strengthening efforts to identify existing innovative approaches to increasing the employment of persons with disabilities occurring in communities across Canada and ensuring that programs have the flexibility to help replicate such approaches.

There is so much we can do with new technologies. Investments have to be made in many areas to assist the people in the disability community, not only in terms of getting to work but also in terms of having the technology at work to be able to do whatever it is they may be doing.

How do we make this technology work for people with disabilities? I think we have all seen examples. I know one of the bankers I have dealt with was legally blind, but he was still a banker doing productive work every day. He had a computer program that would either talk to him or adjust the print so he could see it.

Just imagine how many people in North America would be helped by technology that assists people who are legally blind. It would help them to be gainfully employed and to be productive in their lives.

I am sure there are other technologies out there that could assist people with other kinds of disabilities. As MPs we go out into the schools, to high school classrooms and others. There is one thing that always amazes me in those classrooms, and that is the personnel who work with the people with disabilities, as well as how the education system, at least in the schools I have been in, utilizes technologies to assist young people with either a mental or a physical disability to learn and to gain their education.

It may take extra personnel, but the technology is improving all the time for these people so that they can gain their education.

The problem is that sometimes that effort, in terms of helping those people with disabilities, stops when they graduate from the school system.

I think the last point in the motion by the member for Brant really goes to that point, that more effort needs to be made to find a way to transfer that technology and to encourage the business sector to utilize that technology so that these people can be productive in their lives.

Let me close with a quote from the title of the report: “We All Have Abilities, Some Are Just More Apparent Than Others”.

This motion gives us the opportunity to work with people to find those abilities that are not so apparent on the surface, and to utilize the technologies so that those people can add to our economy, assist the business community and find a quality of life in their own livelihoods. This motion could give us that opportunity.

• (1740)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I am pleased to speak to Motion No. 430, which calls on the government to endorse the report of the panel on labour market opportunities for persons with disabilities, and to support the member for Brant in his efforts in putting forward this motion, about which I know he is quite passionate.

[*Translation*]

A few months ago we published this report, which showed possible courses of action and best practices in this regard. The panel gave us a solid business case that supported hiring people with disabilities and targeting our available resources to bring about better outcomes.

[*English*]

The panel gave us a solid business case that supported hiring people with disabilities and targeting our available resources to bring about better outcomes. The results are in the panel's report, “Rethinking Disability in the Private Sector”, which I urge all members and employers to read.

For example, it was found that accommodating people with disabilities in the workplace is not that expensive, that it can pay many dividends and that employees with disabilities have lower rates of absenteeism and staff turnover.

Private Members' Business

Canada is already experiencing a skills gap, and we have yet to face the demographic challenges of the baby boomers retiring en masse. Ensuring all Canadians are able to contribute their skills to the economy is vital to addressing this looming challenge.

Our image of the typical worker for a typical job, though, has substantially changed. Why? It is because we are not living in the world of typical any longer. We have the responsibility of designing our own destiny when it comes to our talent and our competitiveness. We should be asking what people can do, rather than whether they fit a traditional mould. We should ask what their capabilities are, not how we can accommodate their disabilities.

Our government gets that. There are many people with different types and degrees of physical, developmental and psychological disabilities who are willing and able to work. Despite our aging population and the looming labour skills shortages, we have been slow to tap into this wealth of talent. There are actually approximately 800,000 working-age Canadians with disabilities who are employable but have yet to find a job. Almost half of those individuals have a post-secondary education.

It is clear that the education, skills and talents of many Canadians with disabilities are not being maximized, nor are these individuals getting a chance to actually have a fulfilling career. This is important because we know that having a job gives people a sense of dignity, a sense of independence. We know that people with disabilities can be real assets to their employers.

What can we do to get more people with disabilities into the workforce? The fact is that people with disabilities do not take a job for granted. They are often the best and hardest working employees, and they improve both the productivity and the morale of all the others in their workplace.

Take, for example, the Toronto Tim Hortons where employees with disabilities have proven to be a tremendous asset, an asset not only because they do the work well but because they are giving the business a relative competitive advantage.

The fast food industry has an average turnover rate of 75%, a huge turnover rate. However, this Tim Hortons has a turnover rate of only 35%, creating a significant amount of stability for this local business owner.

People with disabilities are used to overcoming problems and finding ingenious ways to cope with everyday tasks. They also tend to be more flexible in their thinking, and that is what makes them valuable to businesses and their need to innovate.

Let me quote from the chair of the panel on labour market opportunities for people with disabilities, Kenneth Fredeen: "There is a strong business case to be made for businesses hiring people with disabilities".

From personal experience dealing with the incorporation into the labour force of adolescents and young adults who have disabilities, I know that when they have that first opportunity to have a meaningful role in the labour market, to have their first job, they stick with it. They are diligent to it. They are focused on it, and they make sure they are meeting every expectation of their employer and also all the people they are serving in their role.

The release of the report could not have been more timely. With the baby boomers starting to retire, Canada is facing skills and labour shortages in many sectors. To meet this challenge, we need to ensure that our talent is at work, that everyone in the country is contributing toward our prosperity.

That is why our government is investing in training so that Canadians can get the skills employers need. Our government supports many programs to promote the full participation of people with disabilities across the country.

● (1745)

Let me highlight some of the items in economic action plan 2013 that have been announced and some very specific measures for job opportunities for individuals with disabilities.

These initiatives would build upon the great work this panel has done.

We would extend the labour market agreements for persons with disabilities for one year and introduce a new generation of agreements in 2014. Our goal is to better meet the employment needs of businesses and the employment prospects for individuals with disabilities.

The opportunities fund for persons with disabilities would assist individuals with disabilities to prepare for, obtain and keep employment or become self-employed.

[*Translation*]

In addition, this opportunities fund will be redesigned to provide people with disabilities with more training options based on the skill sets employers are looking for and to become more responsive to labour market needs. Employers and community organizations will be involved in the design and implementation of specific projects.

[*English*]

We would extend the enabling accessibility fund, which supports capital costs for construction and renovations to improve physical accessibility for people with disabilities through projects that demonstrate community support, including workplace accommodation. This is something we have heard about all across the country. It is making sure that individuals, not just with physical handicaps but with other developmental disabilities, have opportunities to enter into a workplace in a free manner.

We also announced additional funding for the Social Sciences and Humanities Research Council of Canada, which will support research related to the labour market participation of people with disabilities.

Finally, our government would create the Canadian employers disability forum, recognizing the importance of engaging employers who are committed to promoting the inclusion of persons with disabilities in the workplace.

Economic action plan 2013 proposes to provide a temporary investment to support the creation of the Canadian employers disability forum, as recommended by the panel. The forum, an initiative led by Canadian businesses, would be managed by employers for employers, providing them the education, training and sharing of resources and best practices concerned with the hiring and retention of persons with disabilities.

This is something that is essential. We have heard from across the country about the need for employers to better understand how to include individuals with disabilities into their firms and into their employment, whether that be small or large firms, those focused on the service industry or in the trades. I think it is essential that employers have an opportunity to be better educated so that they can be more inclusive.

Under the leadership of the forum, employers would help to promote and further the invaluable contributions that persons with disabilities make to their businesses. This measure is a direct result of a recommendation by the panel.

Unfortunately, the opposition parties voted against many of these investments. It is difficult to understand how the opposition MPs can stand and talk about their parties' support for persons with disabilities when they have consistently voted against each of these investments.

As I have said before, Canada faces serious labour and skills shortages in many areas. These shortages are the most significant challenge to our success and competitiveness as a nation. That is why our government is focused on removing barriers to employment for people with disabilities and helping them get the right skills and the training they need. The private sector must also do its part to hire people with disabilities and create more inclusive workplaces.

We believe the report of the panel on labour market opportunities for persons with disabilities will get a lot of people opening their minds and seeing the potential for these employees.

I want to thank the member for Brant for bringing this motion forward. It has been an excellent vehicle for change, for education and for making sure that Canadians, particularly Canadian employers, know why this is such an important issue. Much of his hard work has been seen in the various measures brought forward in the budget as well as at our human resources committee, which has done a recent report on inclusiveness and making sure that individuals with disabilities can be included in the workplace.

I urge all members of this House to support this motion and to support the many actions our government has taken to support Canadians with disabilities to further their participation in the economy.

Once again, I want to commend the member for Brant for his excellent work on this motion and for bringing this important issue forward to Canadians and employers.

• (1750)

[Translation]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I am pleased to speak to Motion No. 430, which pertains to labour market opportunities for persons with disabilities.

Private Members' Business

I would like to point out that the Convention on the Rights of Persons with Disabilities was adopted by the United Nations General Assembly and came into effect on May 3, 2008.

Article 27 is particularly interesting. It reads:

States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia...[ensure] that reasonable accommodation is provided to persons with disabilities in the workplace...

It is clear that the convention's objective is for people with disabilities to fully enjoy basic human rights and actively participate in political, economic, social and cultural life.

Today in Canada, people with disabilities make up about 14% of the population. Unfortunately, approximately 800,000 working-age Canadians who have a disability are unemployed, even though their disability does not prevent them from working.

Why is that? It is because there is a lack of opportunity and infrastructure. People with disabilities may have feelings of inferiority or employers may discriminate against them because they are not familiar with the disability or have concerns about it. These individuals may have had difficulty in another job or a training program.

I would like to quote Tara Hooper, who testified before the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities in March 2013.

More attention needs to be given to our youth with disabilities. The issues with bullying, as an example, are prevalent among youth. It impacts their esteem, confidence, and worth as human beings. All of these factors have an impact on how an individual decides to move forward with their life following high school.

I would also like to speak briefly about the Panel on Labour Market Opportunities for Persons with Disabilities, which examined the private sector's successes, challenges and best practices in hiring people with disabilities.

This panel recommended promoting education and training in order to overcome barriers, dispel myths and further encourage people with disabilities to contribute to our country's economic prosperity.

Motion No. 430 calls upon the government to endorse these findings and recommendations.

That would mean promoting the employment of people with disabilities, since nearly 340,000 of these individuals have a post-secondary education and they are a tremendous, viable and as yet untapped source of workers at a time when Canada is experiencing a labour shortage in various sectors.

My riding is one that often does not have enough workers because of the economic boom. More and more, private sector employers are starting to consider hiring more workers with disabilities to make up for the shortage.

It should be said that it is often advantageous for a company to hire people with disabilities because they are more likely to stay with the same employer. Employers therefore save on hiring and training costs.

Private Members' Business

For more than 30 years now, there has been no change in the number of people with disabilities who are active in the labour market. In 1995, 43% of people with disabilities were actively involved in the labour market, which is roughly half the equivalent percentage of people without disabilities.

Again according to Statistics Canada, people with disabilities are less likely to have a job than people without disabilities. In 2006, 51.3% of people of working age with disabilities had jobs, compared to 75.1% of people without disabilities.

When I was doing my research, I paid close attention to the minutes of a standing committee meeting, which I spoke about earlier. I would like to quote some relevant comments made by the member for Burnaby—New Westminster:

About 50% of the nation's homeless are people with disabilities and about half of those who have to line up in the food lines and bread lines of this country are people with disabilities. So the situation for people with disabilities is very dire in this country, there is no doubt, in part, because of neglect.

The problem seems to be a lack of support in the workplace. I found his comments to be quite pertinent.

• (1755)

However, I want to say that I will support the motion. I think it is extremely appropriate to give people with disabilities independence and dignity so that there is genuine equality in the labour market.

Although I will support the motion, it unfortunately does not go far enough. The problem is very broad, and the motion could have gone much further. The motion heads in the right direction and its purpose is really to promote employment for this vulnerable minority. However, one of the problems is that the motion is unfortunately too formal. The government lacks vision when it comes to the complex issue of the employability of people with disabilities. Certain issues have not been addressed, and that may be due to the fact that the report I mentioned lacked depth. I will now address a few of those issues.

How do you go about working if you cannot get to your workplace? That is an obstacle. Imagine that an employer is prepared to hire someone but that person has no means of transportation to get to work. That is a major obstacle that should have been considered. In some instances, some employers may be prepared to hire people, but the infrastructure cannot accommodate those workers very well, or at all.

There are two realities regarding aboriginal communities, and that makes the task more difficult. The employability rate among aboriginal people is lower than in the general population. If someone also has a disability, his or her chances of finding work are cut in half. We can also talk about support for people with disabilities, everyday assistance, education and financial responsibility. These various issues, which were not addressed, could have been explored in greater detail.

On November 9, 2012, the Supreme Court of Canada rendered a decision on the rights of people with disabilities and the right of students with disabilities to the accommodation measures required to access and benefit from public education. The court held, "Adequate special education, therefore, is not a dispensable luxury."

According to the brief that the Council of Canadians with Disabilities presented to the committee in April, one in four women with disabilities who are of working age and living in low-income households works in a business or has a job. We therefore see that women are greater victims of the situation.

Consequently, poverty is on the rise and these women are unable to support their families. In the case of women with disabilities who are the heads of single-parent families, the problem is much greater and leads to more dependence, a lack of freedom and isolation. If the situation persists, it will be increasingly difficult for the person to return to the labour market.

Declarations of principle, studies and encouragement are not enough today. We expect more specific action. I think it is high time we adopted an actual strategy to make Canada more accessible and inclusive.

Various measures must be taken to do that, such as the following: work consistently with the provinces, the territories, first nations and people with disabilities to develop a federal strategy; involve the public and private sectors in communities in a co-operative relationship; invest in youth with disabilities at the end of their high school education and help them make the transition from school to work; promote access to public post-secondary education to help people with disabilities enter the labour market; develop long-term support funds to promote financial security; evaluate health and disability benefit programs; conduct studies to determine the nature of barriers and ways of overcoming them; access information on the labour market, support services, workplace accommodation and the training necessary to find and retain a job; adapt the workplace to people with disabilities; develop appropriate means of transportation; and work to improve housing and living conditions.

• (1800)

We can find many more solutions and do more things. I think it would be a good idea to do so.

[English]

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I am pleased to rise in support of this motion by my colleague from Brant. There are times in the House when we as members of Parliament can work together for the common benefit of our constituents.

In this instance, there are in excess of three-quarters of a million Canadians who have a disability. I am certain that every member of the House knows someone in their riding who has a disability.

Many of us will also know that each year we host a chair-leaders day here on Parliament Hill. As a participant in this event and having spent a day in a wheelchair, I am certain that I am not alone in sharing what an eye-opening experience that is.

Private Members' Business

We also know that disabled citizens are capable of doing amazing things. In my home province of British Columbia, Man in Motion has been an inspiration and role model for all citizens around the world. More recently, I was very pleased to note that the B.C. legislature has three elected MLAs who did not let a wheelchair stand in the way of public service. In the House, we have a distinguished colleague who has served the citizens of Charleswood—St. James—Assiniboia incredibly well for close to a decade.

We also must recognize that for employers and those with disabilities there are still challenges that remain in the workplace. We know there are many businesses with skills shortages and the report by the Panel on Labour Market Opportunities for Persons with Disabilities is a great resource that can make businesses think differently about those shortages and how they might be met by people with disabilities. Since the report came out in January, we have been urging businesses of all sizes to step up to the plate and consider people with disabilities as part of their human resources strategy.

In economic action plan 2013, our government outlined further steps that we are taking to connect Canadians with existing jobs. The Canada job grant aims to create \$15,000 per person, a partnership that includes a federal contribution and matching funds by the provinces, territories and employers, to ensure that Canadians are getting the skills they need and that employers are seeking. By directly involving employers, the Canada job grant will do what previous training programs did not do. There is certainty that Canadians will acquire the skills and training in an area where jobs are available. This program will move training away from the status quo and into the hands of job creators who know best what skills are needed to fill current vacancies. Indeed, in Okanagan—Coquihalla, from meeting with employers recently, I can state with certainty that welders, electrical engineers and saw technicians are only some of the skills that are currently needed. Many of these jobs also require support positions. Skills trade harmonization requirements for apprentices can also help those looking to get a fresh start in a new community.

It is important in this discussion that we look at some of the initiatives to help people with disabilities.

In economic action plan 2013, we will renegotiate a new generation of labour market agreements for persons with disabilities by April 2014. These new agreements will be designed to better meet the needs of Canadian employers that will, in turn, help to improve employment prospects for persons with disabilities.

We will also maintain ongoing funding starting in 2015 for the opportunities fund for persons with disabilities. This fund helps persons with disabilities prepare for, obtain, and most importantly, keep work. The Social Sciences and Humanities Research Council will also receive funding to help support research related to the labour market participation of people with disabilities.

• (1805)

A time-limited investment will be made to create the Canadian employers disabilities forum. The forum itself will be managed by employers to facilitate education, training and sharing of resources and best practices concerning the hiring and retention of people with

disabilities. It will share successes and communicate ongoing challenges.

Finally, the enabling accessibility fund will also be extended on an ongoing basis. This fund supports the capital costs of construction and renovations related to improving physical accessibility for people with disabilities through projects with demonstrated community support, including workplace accommodation. Clearly, physically accommodating a person with a disability is of key importance and this fund will help to ensure that occurs.

Taken together, these measures show resolve to help include people with disabilities in our Canadian workforce.

As the panel's report says, we have to make sure that the barriers people with disabilities face when trying to get a job are removed. We must never forget that many Canadians who have a disability are perfectly capable of working and have yet to find a job as there are still some barriers that must be overcome. Skills retraining and workplace accommodation are two of the most important considerations to help increase employment for disabled Canadians. Fortunately, both of these issues are targeted in economic action plan 2013.

I am proud to support my colleague from Brant by supporting the motion. It is an important step forward toward engaging the private sector to do more to employ persons with disabilities. I also believe it is important that we recognize that the motion cannot and will not resolve all challenges for disabled Canadians in the workplace.

As I said earlier, we all know people who have faced the daily challenges of a disability, who know first-hand the feelings of an uncertain future and circumstances sometimes beyond their control. It requires resolve to live and thrive despite these challenges that can really only be lived one day at a time.

One step at a time is how we need to move forward together. I submit the motion takes important steps that will make a difference in getting disabled Canadians the jobs that they need in a workplace that can be accommodating.

I am pleased to support the motion. I am pleased with the work of my colleague the member of Parliament for Brant.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I am very pleased to rise and speak to Motion No. 430, labour market opportunities for persons with disabilities. This important motion was brought forward by a good member of Parliament who is a clear advocate for people living with disabilities. He is personally involved and works hard to ensure that governments at all levels are aware of the need to provide the kinds of supports necessary to ensure that people who are living with disabilities are able to contribute at the level at which they want to contribute. It is extremely important, and I thank him for the work he does. I want to make that clear. I will be supporting this motion.

Private Members' Business

The member will probably not be surprised that I am going to raise a few little points where I think the motion does not go quite far enough. I do that because I am well aware of this issue. I have many constituents and friends who are dealing with the barriers to people living with disabilities every single day. We can stand here in the House and talk about it and we can read reports that talk about the need to do this or that, but at some point we have to draw the line and put some concrete actions into place. We have to assign the appropriate funding to those actions to ensure we specifically remove the barriers that exist for people on the ground who are living with disabilities.

The “Rethinking Disability in the Private Sector” report is a solid report. It identifies challenges and success stories of employment for persons with disabilities, but I suggest that there are gaps. Persons with disabilities do not just deal with barriers existing in the workplace. They deal with barriers that are brought on by problems of accessibility to housing, education and transportation, and none of these issues were directly dealt with in the report.

In my province of Nova Scotia, and I know this exists across the country, the ability of persons with disabilities to access independent living opportunities is at a premium. There are far too many wait-lists for people who are trying to find proper living accommodations. We can appreciate that for people who are in a program that is helping them transition from school to work and trying to support them in employment opportunities, there needs to be an opportunity to live independently in appropriate housing. Not only does that create opportunities for them, but it relieves the enormous pressure on families who are the primary supports and caregivers.

Likewise, the opportunity for persons living with disabilities to access education, to get supports in the school systems, both secondary and post-secondary, is extremely important. I have evidence of the success that is enjoyed by people living with disabilities who are able to take advantage of those supports, but they are not there for everybody. Again, there are waiting lists and the disability-specific supports are not always in place.

It is the same thing with transportation, unfortunately.

Those are the kinds of barriers that we need to focus on, that we need to ensure we get rid of. We need to ensure that the funding is available.

• (1810)

I spoke in a debate a week or so ago about how the government is letting the provinces down on a commitment that it made in the Constitution of 1982 to provide equalization payments to ensure that the provinces are able to deliver an equal level of service. Some provinces that do not have access to the same revenues as others are facing challenges.

I will give some examples of success stories in Dartmouth—Cole Harbour because there are a few. There are individuals living with disabilities who are recognizing opportunities.

There is the ACEE program established in 2005 by the Independent Living Nova Scotia Association. It is a year-long transition program for youth with disabilities who have completed high school but are not yet ready for the workforce or further education.

There are currently and usually about 20 young adults who participate every year in this innovative program, which includes literacy and numeracy, employment orientation, career exploration and job placements in real-life workplaces. It is currently situated in the Akerley campus of the Nova Scotia Community College. It is located within a post-secondary institution. The participants benefit greatly, as do the students who are attending that community college. They learn and experience good things as a result of that program being there.

The Dartmouth Adult Services Centre, DASC, provides community employment services dedicated to providing access to employment opportunities and the support required to ensure continued and future success. It strives to obtain competitive employment in the community for its clients. It has just moved into a new facility partially funded by the federal government; the grand opening is tomorrow. I have been through the facility and it provides a wonderful suite of services to people living with disabilities and to organizations within the community. It is known for its political buttons; I have certainly bought a few buttons from DASC myself.

DASC also provides a community employment service work model made up of four components: assessment and orientation, job search, job site training and ongoing support. This is an extremely valuable support. It has a new building and is providing support and work opportunities for over 100 individuals. It has staff. It is continuing to grow in terms of demand and there is a waiting list. It needs greater funding to ensure that it has qualified staff on hand to provide support for people who are working in that organization and in the community.

Another program is called reachAbility. It operates on the basis of a culture built on the belief that we are all equal and that accommodation is simply about equalizing the playing field. The committed staff of reachAbility provide support to a wide range of clients with a focus on programs designed to build a stronger community, one ability at a time. The program provides transferable skills through training, education, job placement services and assistance in overcoming barriers.

I want to make two final points. The first is with respect to the United Nations Convention on the Rights of Persons with Disabilities. The Conservatives were supposed to report on what their commitments would be, as was required when they signed on to it a year ago. They have failed to do that. That is simply not good enough.

• (1815)

The member opposite brought forward a great motion, but we need more action and more resources focused on people living with disabilities so they can participate in our communities at their fullest potential.

[*Translation*]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I am pleased to rise in the House today to join the debate on Motion No. 430 regarding employment opportunities for persons with disabilities. This motion follows on from the work of the Panel on Labour Market Opportunities for Persons with Disabilities, which was set up in July 2012.

Private Members' Business

In general terms, the panel's mandate was to hold discussions with private sector stakeholders, employers and organizations on the representation and participation of people with disabilities in the Canadian labour market.

The report prepared at the conclusion of the panel's work highlights the fact that there are too many Canadians living with disabilities who are unemployed, even though they have the ability and willingness to work. Even today, about 800,000 working-age Canadians who are living with disabilities have the willingness, the talent and the ability to participate in Canada's labour market, but they do not always have the opportunity to do so.

The report entitled "Rethinking DisAbility in the Private Sector" describes a number of success stories, best practices and obstacles to accessing the job market for those with disabilities. The surprising thing is that unfortunately the panel did not have the authority to make recommendations to the government. It could only describe the situation and make suggestions for improvements.

The motion under consideration today asks the government to endorse the report of the Panel on Labour Market Opportunities for Persons with Disabilities and puts forward measures inspired by the report that aim at improving access to the labour market by Canadians living with disabilities.

This motion is a good initial step and I support the measures it contains. However, as a number of my colleagues in this House have mentioned, there remains a great deal of work to be done and the text of the motion does not go far enough in putting forward measures that will really increase access to the labour market by people with disabilities.

The panel's report is not particularly ground-breaking. We have been aware for a number of years now of the conclusions it draws and the facts it presents. Through a succession of governments, a number of reports have raised the same problems and issues. However, not one of those governments, nor even today's government, has taken adequate measures or shown any genuine leadership to resolve the situation or to ensure that people living with disabilities who have the ability and the willingness to work actually take part in the labour market.

Furthermore, Motion No. 430 does not cover some of the problems that are crucial for people with disabilities. It does not discuss the demands that groups representing people with disabilities have expressed for a number of years now. I am thinking primarily of health and disability benefits, access to housing, access to education and income security.

This afternoon I had an opportunity to discuss Motion No. 430 with a long-time friend, Maxime D. Pomerleau, who was with me in high school and CEGEP. We have known each other for many years. She is a journalist and a host on Canal M for a public affairs program about people with disabilities. Her program is called *Accès libre*. At the moment, she is also developing a web series called *Batwheel*, which deals with issues of universal accessibility for those living with disabilities.

Maxime has McCune-Albright syndrome and has used a wheelchair since she was young, so she really understands the problems facing people with disabilities, particularly problems with

gaining access to the labour market. When she was young, she did not have access to summer jobs because there were not enough incentives for employers to hire people with disabilities.

She had a chance to look through the report and, like me, she found it objectionable that it focuses on big, well-established companies that already have programs to help people living with disabilities. Small and medium businesses do not have these kinds of programs, especially in rural areas. The report does not really even cover the situation outside of urban areas.

The report does not go into the problem of accessible transportation either. Nothing is being done to address these issues, and this is something that I deplore about the motion before us.

• (1825)

[English]

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, it is truly a privilege to speak to the debate that has been part of this motion.

I want to thank both opposition parties for their support of this motion and especially those who spoke to the motion in terms of their support.

I am under no illusions with this motion, having lived and watched persons with disabilities from the time they were small children to the time they were adults. I am under no illusions of the multiplicity of challenges that they have in their lives and the multiplicity of services and support they need to live fulfilling lives.

This motion has been as prescriptive as possible to put forward five elements for progress. They are small steps forward, but is it not better to make those small steps forward and to get to the point some day where we are in a position where we are completely inclusive of individuals who suffer from all ranges of disabilities?

I must thank members of the organizations from across the country to whom I have spoken over the past year and who were a very significant part of putting together the elements of this motion, because it was their experience and their suggestions that said, "This will move the yardstick forward. If you present a motion with these elements, it calls very prescriptively on the government to do things". To the credit of our government, in the past budget several of the elements we were working on were adopted even before the motion came to the floor of the House of Commons.

I also thank our Minister of Finance and the leadership of our government on this file, in taking it forward in a way that I, frankly, did not actually anticipate we would be able to move as quickly as we did.

We provide significant resources to provinces and territories and we have a window of opportunity on one of the elements mentioned in the motion, which is to have a new generation of labour market agreements for persons with disabilities. When we get that new generation, we will be able to direct to the actual individuals more concrete and measurable results for those who seek to work.

As has been mentioned over again in this debate, there are 800,000 individuals who are ready, willing and able to work in the country and our country is on a path of labour shortage, so this is an untapped pool of talent.

Privilege

In our society, sometimes these people get overlooked, maybe because of their physical appearance, perhaps the way they walk, or the fact they cannot walk, or the fact they cannot speak clearly or their sight is an issue. Some people have episodic disabilities, as we have learned, who need programs and the assistance of our society, our government, as well as their employers in moving forward.

We are also picking up on the report for persons with disabilities, which has been mentioned over again and over again, to focus on private sector participation. I disagree with one premise that was said tonight and the fact that it did not address small, medium and large-sized business.

I have had my own small business for 25 years and had 20 employees. There are so many opportunities for employers to look beyond the wheelchair, to look beyond the eyesight, to look beyond the intellectual disability and say, "The business case is there to hire this individual, not only for their talent, but for the multitude of benefits that my company will receive".

I will wrap up with one last comment. The verdict is in. Not only does employing people with disabilities unlock enormous opportunities for their social and economic inclusion, but we now know that doing the right thing makes good business sense.

[*Translation*]

The Acting Speaker (Mr. Barry Devolin): The time provided for debate has expired.

[*English*]

The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Barry Devolin): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Pursuant to an order made on Wednesday, March 22 the division stands deferred until Wednesday, June 19 at the expiry of the time provided for oral questions.

* * *

•(1830)

PRIVILEGE

DATA USED BY GOVERNMENT WITH RESPECT TO BILL C-54

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I rise in response to a

question of privilege raised by the member for Kingston and the Islands, with regard to statistics related to Bill C-54, the not criminally responsible reform act.

As hon. members know, the cases involving Alan Schoenborn in British Columbia, Vince Li in Manitoba, Richard Kachkar in Ontario, Guy Turcotte in Quebec, and Andre Denny in Nova Scotia were horrific tragedies for everyone involved. No words of mine nor anyone else's can ever ease the pain felt by the victims and their families.

As the Prime Minister rightly stated, we cannot change terrible things in the world, terrible things are going to happen, but we can create a system that is reasonable. That is exactly what Bill C-54 aims to do.

On November 22, 2012, the government announced its intention to move forward with legislation to address concerns about high-risk accused persons found not criminally responsible.

On February 8, 2013, the government tabled Bill C-54 in the House of Commons.

On February 12, the member for Mount Royal tabled Question No. 1169. Question No. 1169 sought information that the government relied upon in developing Bill C-54.

The government responded to Question No. 1169 by indicating several sources of information that it had relied upon in developing the legislation. The government's response included the final November 2012 report by Crocker et al to the Department of Justice.

As correctly noted by the member for Kingston and the Islands in his question of privilege, "This makes sense because the government can only rely on the evidence it had at the time."

The member for Kingston and the Islands also noted that the government included an annotation in its response to Question No. 1169, indicating that the Department of Justice had received a significantly amended version of this report 38 days after the introduction of Bill C-54.

After the bill had been introduced, we gave notice that the report had been significantly amended.

In any case, the amended version of the report was provided 17 days after my speech on March 1 on second reading of Bill C-54, with respect to which the hon. member for Kingston and the Islands had taken exception.

A simple Internet search would show the hon. member that the amended version in fact has been available online for everyone to see on the National Trajectory Project at www.ntp-ptn.org.

I would also point out that nothing at any time between March and today, June 13, 2013, has stopped any member of the House to ask the government a follow-up order paper question or just ask us to table the amended version.

I would also like to respond to the assertion made by the member for Kingston and the Islands regarding the Minister of Natural Resources.

Government Orders

In delivering what I consider an excellent speech on Bill C-54, the Minister of Natural Resources was provided, as were many government members, with supporting documentation that in error included the statistics listed in the final report that was submitted to the Department of Justice in November 2012.

To suggest that by referring to this data was a deliberate attempt to mislead the House is preposterous. This was nothing more, quite frankly, than an honest mistake, not of his own doing, and I hope this addresses entirely the matter pertaining to the hon. minister.

In your May 7, 2012 ruling, Mr. Speaker, at page 7649 of the *Debates*, the Chair established a three-part test for establishing contempt in relation to misleading the House. In these circumstances, the claim by the hon. member for Kingston and the Islands fails in two respects. The incorrect statements were not known to be incorrect, and they were certainly not made with any intention whatsoever to mislead the House.

As for the response to Question No. 1169, it is well established that the Chair does not intervene with respect to the quality of an answer.

In any event, I would submit that the government went above and beyond its obligations by indicating that a revised report was received after the fact despite the question asking about the drafting of Bill C-54.

For his part, this afternoon the hon. member for Skeena—Bulkley Valley cited examples of committee matters. It is another well-established principle here that the Chair does not typically concern itself with committee proceedings, except upon a report from the committee itself.

● (1835)

In this case, this morning the Standing Committee on Justice and Human Rights reported Bill C-54 with amendments. No other report has come from the committee nor do I anticipate one will.

In drafting legislation, the government relies on a wide array of information. It is because of errors in statistics, such as what came to light in this situation, that the government cannot rely on any one source or any one study. It is a good example.

It is critical that the government collect a broad cross-section of information in drafting legislation, and that is exactly what we did with Bill C-54. In developing Bill C-54, the government relied on a number of sources, including relevant jurisprudence, doctrine, available research, and consultations with provinces and territories.

Indeed, at our last federal-provincial-territorial meeting in October 2012, ministers recognized the importance of public safety being the paramount consideration in the Criminal Code Review Board decisions.

Ministers also discussed proposals to make the process more responsive to the needs of victims, including further consideration for the appropriate term for reviewing decisions in serious personal injury offence cases.

I believe profoundly that the measures contained in our legislation are balanced, reasonable and carefully drafted. We want to ensure that those who are mentally ill and who pose a serious danger to the

public and indeed those who pose a danger to themselves get the treatment that they need.

In conclusion, I believe that my submission provides a response to the matter in question and that there in fact is no *prima facie* case of privilege.

In addition, and in response to the request of the member for Kingston and the Islands, I am seeking unanimous consent to table the amended version of the Crocker report as received by the Department of Justice in March 2013.

The Acting Speaker (Mr. Barry Devolin): Does the hon. minister have the unanimous consent of the House to table this report?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

TACKLING CONTRABAND TOBACCO ACT

The House resumed consideration of the motion that Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco), be read the second time and referred to a committee, and of the motion that this question be now put.

The Acting Speaker (Mr. Barry Devolin): When this matter was last before the House, the hon. Attorney General had the floor. If he wishes to continue with his remarks at this time, he has twelve and a half minutes remaining.

The hon. Attorney General.

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I was very pleased in the time I had to conclude all the remarks that I wanted to make about this legislation, but I certainly want to be available in case there are any questions. I feel I probably have answered all the questions that could possibly come forward on this bill, but just in case there are any, I want to make myself available.

● (1840)

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I would like to ask the minister if he would give us some indication of the organizations that he and his department consulted with in order to develop Bill S-16.

The whole question of contraband tobacco affects other jurisdictions and a number of organizations. How this legislation was conceived and how it will be carried forward are important.

In that respect, I wonder if he could give the House some indication of the consultations that were conducted in order to get to this point.

Hon. Rob Nicholson: Mr. Speaker, interestingly enough, we have brought in many pieces of legislation covering various aspects and different issues within the Criminal Code and indeed all issues as they relate to crime in this country and to the role that victims play.

Government Orders

One of the issues that is continuously raised with me is the question of contraband tobacco. I have heard it, quite frankly, from my constituents going back a number of years and in my discussions with law enforcement agencies over the years and when I have been at round tables and discussed justice issues. People have brought it to my attention when I have gone across the country. This is one of those subjects that has certainly received a lot of attention, and I have had a lot of representations made to me.

Coming forward with this legislation is entirely appropriate. That is why I believe this legislation will be so well received. Having extra options for the police and crown attorneys, concurrent jurisdiction between the federal and the provincial attorneys general with respect to prosecution, putting it in the Criminal Code and sending out the message that this kind of activity will not be tolerated in Canada are entirely appropriate.

I was pleased with all the input that we had on this, and this legislation is a result of all that input.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, in regard to this bill, obviously there are provisions that are currently within the Excise Act that are being added to the Criminal Code. He mentioned how the federal and provincial attorneys general could work better to fight against organized crime to tackle some of these joint jurisdictional issues.

I do serve on the justice committee. Certainly, there would be a lot of process for further consultation and discussion about the merits of the bill. I would like to hear the minister speak to why this needs to get to committee, why the committee needs to examine the bill and why this legislation needs to go forward as soon as possible.

Hon. Rob Nicholson: Mr. Speaker, that certainly is a good question. Again, I want to thank the member for his input and contributions to the justice committee. He has certainly been a positive addition to that group of individuals who are working so hard to come forward and support legislation to better protect victims and address concerns within the criminal justice system.

He points out, quite correctly, that what we have done here is we have expanded beyond the Excise Act. By putting it in the Criminal Code, we do not repeal the former in favour of the latter; it will be in both pieces of legislation. This certainly gives more options to law enforcement agencies across the country.

I can tell him that I have had, for instance, members of the OPP say to me that when they came across contraband tobacco, they would turn it over to the RCMP for prosecution under the federal legislation. Again, what we are saying with this piece of legislation is that they do not necessarily have to get the RCMP involved. The OPP and local law enforcement agencies can come forward with the information and it can be prosecuted by a provincially appointed crown attorney, at the same time preserving the federal jurisdiction in this area.

We are adding one more significant tool to the fight against contraband tobacco. I would like to see this bill get to committee as quickly as possible to have the committee take a further look at this important piece of legislation.

• (1845)

[*Translation*]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I appreciated the minister's remarks about contraband and the problem we are now facing.

We know that when we are talking about contraband, we are also talking very often about organized groups and the impact on young people and those who are trying to get hold of cigarettes or other things more easily.

In terms of information, what has been done and what is planned in order to raise public awareness, particularly about the effects and the impact of cigarettes and contraband cigarettes?

We must not think only about the loss of revenue for the government. We must focus on the organization built up around contraband, which is inconsistent with basic principles, and the health impact of tobacco smoke. When people try to get cigarettes or other things as quickly and as cheaply as possible, we know very well that that is when consumption increases.

[*English*]

Hon. Rob Nicholson: Mr. Speaker, I agree with the hon. member that organized crime is exactly who is running this business in this country. These are individuals who come together for the purpose of bringing in or distributing contraband tobacco in this country. Very often their target is young people they try to induce with inexpensive contraband tobacco. The tragedy is that tobacco use is the number one preventable cause of death. We know the effects tobacco smoking has on individuals, and we know that the effects can be prevented and death can be avoided by non-use and by people stopping the use of these products.

I mentioned a couple of times today other aspects of the government's strategy to discourage tobacco use in this country. I made reference in remarks earlier today to changes to the labelling of cigarettes and to what the provinces are doing in terms of making sure that cigarettes do not get into the hands of young people.

We all have an interest in this. It is an area that desperately needs more attention, more regulation and more tools to combat it. This piece of legislation is an important component of that and is certainly a positive step forward.

In terms of directing this to make sure that young people do not get involved in this kind of activity, and recognizing that these are very sophisticated individuals who get involved in this kind of activity as part of organized criminal gangs, I agree that this is exactly who we have to target and what we have to do.

Mr. Robert Chisholm: Mr. Speaker, I will be rising shortly to expand on some of these issues.

I just want to say that there is no question that this initiative is a necessary one. It is an important initiative. It will also require some dedicated funding. I wondered if the minister could perhaps give this House some indication of the money that has been allocated to ensure that the police officials, the authorities, whoever would be involved in this, would be able to carry out these activities successfully.

Government Orders

Hon. Rob Nicholson: Mr. Speaker, I touched on the tobacco strategy. It is led by my colleague, the Minister of Health. The provinces and law enforcement agencies within the provincial jurisdictions are involved.

One thing I pointed out and that I think is an important component is the 50-agent contingent within the RCMP that would be dedicated to this whole area of contraband tobacco. That is a terrific and important utilization of the resources of the RCMP and is a step forward. Again, it is part of a greater package to go against contraband tobacco.

• (1850)

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I appreciate the opportunity to speak to Bill S-16. It is an important piece of legislation, as I indicated moments ago when I asked the minister a question. The question, of course, was with respect to resources, whether it be the RCMP or whichever police force is involved, and if these enforcement agencies would have the resources necessary to carry out the added responsibilities that are part of this legislation.

The minister did not answer my question with the kind of specific information I was looking for. That is part of my concern about Bill S-16. We have a piece of legislation, an act to amend the Criminal Code to deal with trafficking in contraband tobacco. It is an important issue, and I will lay out why I think it is important. It deals with an issue that is vexing, to say the least. My concern is that the Conservative government is talking tough in the legislation and in the words it uses, but when it comes to actually bringing resources to bear to support those agencies it expects to now carry out these added responsibilities, I am concerned that the government is once again falling short.

This minister, in particular, and members of the government, have been criticized for not vetting legislation in terms of whether it would be subject to constitutional challenges in the Supreme Court. The government has been found at fault for not having done that. It is a requirement of the Minister of Justice when it comes to all pieces of legislation.

That is a problem. So too is the fact that the government says that it is going to do all these things with respect to justice issues and will crack down, but it seems incapable of putting the necessary resources in place to see that whoever gets the responsibility handed to them, be it the provinces, or in this case, the law enforcement agencies, has the resources necessary to carry them out.

Let me say at the outset, as many of my colleagues have said and will say this evening, that we support moving this legislation forward to committee so that we will be able to bring some of the organizations, experts and different jurisdictions before committee to ask them some of the questions I will raise tonight.

Flaws in the language in this legislation have already been identified. I hope that, for once, the Conservative government will recognize that this is such an important issue as it relates to this country that it will be amenable to making the kinds of amendments necessary to clean up those issues.

I want to talk a bit about why this is so important from a health and safety standpoint and about the forgone revenue for the country.

I want to talk about the question of border security. Where are the threats in terms of contraband tobacco?

• (1855)

We have heard a number of comments from government members that would seem to suggest that the sole focus of the problem is first nations in Quebec and Ontario. Is that, in fact, the truth? Is that the case, or is it an unfortunate stereotype that exists on the government side that has not been sufficiently delved into to make sure that we are not heading in the wrong direction?

I asked the minister who he consulted. One of the groups was first nations. As we know, the manufacturing sites for contraband tobacco are generally found close to the border in both Quebec and southern Ontario. Some of the transit points have been identified as first nations communities. If that is where some of the activity is focused, then my question is whether the government sat down with the first nations communities to work together to come up with a comprehensive piece of legislation that talks about the issue from the ground up in a responsible, mature, holistic fashion.

Provincial jurisdictions have been trying to deal with this issue, as have corner store associations and many health groups. These people need to be consulted. We need to bring these experts forward so that we can talk about it at committee.

First, let me talk about health and safety issues. We have seen the studies, and we know that there is a correlation between the price of tobacco and usage. That is why even though provincial governments do not want to increase taxes, they increase taxes on tobacco, not only as a revenue source but perhaps, most importantly, as a way of discouraging tobacco use. It has been found to be very effective, and the data clearly shows that.

Tobacco seriously harms Canadians. There are hundreds of millions or billions of dollars spent every year dealing with the effect of tobacco on Canadians. That is something we need to do everything we possibly can to deal with.

Governments are using awareness campaigns and warnings and various restrictions on tobacco packaging. People can go into a store, and tobacco products are hidden from view. That has been seen to reduce usage. Keeping advertising off television and out of newspapers and magazines has been seen to be an effective measure in reducing usage.

It is extremely important that governments use every single tool at their disposal to deal with this. What a conundrum. Governments increase taxation on tobacco products and restrict advertising. They insist that warnings labels be put on the packaging by manufacturers to ensure that they do their part in dissuading people from usage.

• (1900)

They made it clear that minors are not able to purchase tobacco products and they try to enforce that, yet at the same time, there is a proliferation of contraband tobacco getting into this country in various ways that makes all of those efforts go by the way.

Government Orders

Again, the issue with respect to health and safety is clear to us. It is clear to Canadians. The government must do everything in its power to try to discourage at every opportunity the use especially in young people. That is where the focus has been and has to be in trying to prevent young people from beginning to use tobacco products.

I understand that it is difficult to put an exact figure on the revenue lost from contraband tobacco, but it has been suggested by the Canadian Chamber of Commerce in 2008 that governments have lost between \$1.5 billion and nearly \$2.5 billion as a result of illegal tobacco products. That is revenue that governments would have had in order to provide the services that Canadians so desperately need.

We talked a moment ago about a motion that was brought forward in terms of providing services to Canadians with disabilities to access employment, to access housing, to access support to services so they may contribute in their communities. Those are revenues that we forgo, that could be used in this area, as a result of the sale of illegal tobacco products. It is incumbent upon us to do something about that.

The bill goes through that in a number of respects and we are going to talk a bit more about that. As I said, the bill specifically addresses contraband tobacco. According to the RCMP, contraband tobacco is any tobacco product that does not comply with the provisions of all applicable federal and provincial statutes. This includes the importation, stamping, marking, manufacturing, distributing and payment of duties and taxes.

At present, contraband tobacco offences can only be prosecuted under the Excise Act of 2001, or various general provisions within the Criminal Code. Bill S-16 would make changes, amendments and additions to the Criminal Code so that police forces are now authorized to take action against these offences. That is extremely important and we would support this.

I want to get to the issue that I raised early on, the fact that the government once again is failing to recognize that the funding needs to be in place in order to make sure that, following these fine words and these honourable changes to the law, the law enforcement agencies are able to carry out their functions.

It has been suggested that 50% of contraband tobacco comes through one port, the Port of Vancouver, from China. As I said earlier, I know there are manufacturing facilities near the border of Quebec and Ontario and that has been discussed.

• (1905)

The government, apparently, has decided to ignore the fact that much more, approximately 50%, of all contraband tobacco comes not from traditional sources or other countries but from China, and it comes through one port, the port of Vancouver. The problem is that there are no inspectors left at the port of Vancouver to deal with this issue.

We know that in the past two budgets, the government has cut hundreds of millions of dollars from the Canada Border Services Agency. This means that there are hundreds fewer front-line officers in place at the borders to deal with this contraband product. That is just one agency; that does not take into consideration the cuts to the RCMP and other law enforcement agencies over the past two

budgets. Tens of millions of dollars have been cut from the budgets. The budgets have been reduced for these law enforcement agencies that, as a result of Bill S-16, are now going to be expected to do more.

That is why I asked the minister that question. I will ask him again and I know he will be asked the question again when the matter goes to committee. How does he expect these law enforcement organizations to carry out the added responsibilities included in this bill? They are extremely important responsibilities, let us be clear, but they are responsibilities that are being piled on top of other responsibilities. At the same time that these agencies are losing hundreds of millions of dollars, they are losing hundreds of employees and the capacity to carry out this important work. That just does not fit. To me, that just does not make any sense and I have not heard an explanation from the government.

Let me point out a couple of things in that respect. The 2013-14 Public Safety Report on Plans and Priorities announced a decrease of \$20.3 million to deal with counterfeiting crime and a \$2.4-million decrease for national security. The department itself stated the following in its risk analysis:

That the Government Operations Centre...infrastructure may be unable to support a coordinated response to large-scale or multiple significant events affecting the national interest.

That current policies and strategies may be insufficient to address the evolution of organized crime.

Again, we are dealing with an important piece of legislation that tries to get at an important problem, whether it is terrorism or, in this case, contraband tobacco coming from other countries and from within, and we are not giving law enforcement organizations the capacity to properly enforce what Bill S-16 is asking them to do. That is irresponsible. I hope the minister and members on the government side are going to be able to answer some of those questions when the bill goes to committee.

• (1910)

[*Translation*]

Mr. François Pilon (Laval—Les Îles, NDP): Mr. Speaker, I thank my colleague for his very fine speech.

He told us that there had been many budget cuts. I would like him to go farther and tell us whether he thinks that in committee, the opposition will be able to convince the Conservatives to put in place the necessary funding to enforce this bill, which, after all, is a good bill, provided the necessary funding is forthcoming.

[*English*]

Mr. Robert Chisholm: Mr. Speaker, I have been in politics now for 16 years and so I am obviously, by nature, an optimist.

The member asked if I thought the official opposition was going to be able to encourage the government to put resources into Bill S-16 so that it can do what the government claims it can do. Well, time will tell.

Government Orders

I know that I and other members will do their best to persuade the minister and members of that committee to recognize the fact that the Conservatives have cut money out of those departments and law enforcement agencies for what they do now. To then expect them to just carry on and fulfill these important duties without attaching some dollars to it, frankly, is naive. As I suggested earlier, it is more than just a little bit irresponsible.

[*Translation*]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, this legislation, which affects something important in our lives, must also bring us justice, and justice here includes the appearance of justice.

Essentially—my distinguished colleague will be able to give us his comments, as well as the Minister of Justice, if he wakes up a bit—by means of this bill, we do not wish to punish just petty troublemakers and traffickers in contraband tobacco, but we also want to attack the leadership of organized crime.

In what way in particular does this bill have a weakness with regard to the destruction of major organized crime? We no longer want the leaders of the Mafia to have a feeling of impunity or to think they can do whatever they wish. We want to put an end to that.

Why does this bill have a weakness in that respect, particularly when we see police strength reduced?

[*English*]

Mr. Robert Chisholm: Mr. Speaker, that member is right when he says that this is a very serious problem. It is a vexing problem for all of us in this country, and we need to find the solution.

I asked the minister earlier who he had consulted with and who his department had been working with in order to try to come up with the legislation and the best strategy to implement the legislation. He informed me that he talked to a few people here and there, some police officers and so on.

I am glad he did. I was thinking about complex strategies to deal with a very serious problem, as the member's question suggested. For example, there is a leading recommendation from the National Coalition Against Contraband Tobacco that strongly recommended the government engage in collaboration with the provinces and first nations. Those are the people directly involved not only in enforcement but also in dealing with the effects of the distribution of contraband tobacco.

I would be disappointed if I thought the minister had not consulted with the provinces and first nations to find a comprehensive solution for these problems.

●(1915)

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, we must not deceive ourselves: if people buy contraband products, it is often because the legal product is expensive. I am absolutely not against the high price of cigarettes. Absolutely not. However, we have to understand the logic behind it.

Personally, when I started smoking, a pack of cigarettes cost me \$2.70. The last one I bought before I stopped smoking 10 days ago

cost me \$12.50. It is certain that, unfortunately, people are going to opt more for contraband products.

I would like to know whether money from the taxes on cigarettes is at least used to fund stop-smoking programs, in order to reduce demand.

Is the money devoted more specifically to that, so that people consume less tobacco and so that one day, contraband becomes less attractive for lack of customers? Has that been done, at least in part?

[*English*]

Mr. Robert Chisholm: Mr. Speaker, let me just say right here, right now, how proud I am of my colleague for having dropped the evil weed. Good for her, because it is important to us, it is important to her family and it is important to anyone who knows her that she be around as long as she possibly can, and that will be extended if she is not smoking tobacco. Good for her. I know I and my colleagues here in this caucus will do everything to support her in those efforts.

To answer her question, I realize that smoking is expensive, and that is a good thing. I know governments are using the revenues they collect from taxes on tobacco to come up with awareness programs and preventive programs and to try to fund some of the damage that is done by tobacco use. That is a good thing.

I indicated earlier in my remarks that there is a direct correlation between tobacco usage and price and that is a good thing. That is why we have to double our efforts to make sure contraband tobacco is not as available as it seems to be. That is why Bill S-16 is so important and why it is important that we assign the appropriate resources to allow law enforcement agencies, provinces, first nations and others to crack down and make sure that the proliferation of illegal contraband tobacco ends, and ends right now, for all of us.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I appreciate the member's comments on Bill S-16. I think it is an important bill, moving forward. However, what is it about the NDP members that, whenever they agree with the pith and substance of a bill, they always say there was not enough consultation?

The member for Northumberland—Quinte West said today that this issue has been before committees. We have had witness after witness from a variety of backgrounds come in to talk about the issue. The government has put forward a strong bill. It would receive further consultation through the parliamentary committee process, and I invite the member to attend to see the variety of witnesses we receive at justice committee.

It seems that when they do not want to say it is a good bill, they always say there is a lack of consultation.

Mr. Robert Chisholm: Mr. Speaker, I know that the member is extraordinarily smart and so are all the members opposite, but why is it then that we get so many bills that end up getting passed through here and then have to be fixed? It is because they will not listen to us. They will not make the amendments that are necessary. Legislation that is challenged before the courts as unconstitutional is a result of the government not doing its homework. That is the issue. That is the problem.

Government Orders

The Conservatives think they are the smartest ones in the room, and unfortunately sometimes they are just wrong. They need to bring other people in to make sure that the legislation that comes in and leaves here is the best legislation it can be, because as in this case it is meant to correct a very serious problem and we need to make sure we do it right.

● (1920)

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, it is a pleasure to rise in this debate, and it is a pleasure to rise in any debate in the House of Commons.

Let me start by saying that we heard some comments a bit earlier about the quality and level of debate in the House over the last little bit. In defence of all members of Parliament, I would say that this is a place where debate does happen. It is a Parliament where 308 people can discuss, debate and talk about issues, and sometimes that gets a bit lively and sometimes people get a bit upset. However, I would rather have that than 308 bumps on logs sitting here collecting \$160,000 a year and not earning it. This is the place where we have that debate, and we should all be proud of the fact that we actually have that type of debate here, that we do debate back and forth. Sometimes we get frustrated with each other, but we should all be proud of that and maybe we should all stop talking down about the good quality of work we all do on both sides of the House.

This is a difficult topic for a number of reasons. We cannot talk about contraband tobacco and about this bill unless we talk about the problem of smoking and cigarettes in general.

Maybe this was not common in other homes, but when I was a kid my father smoked a lot. He smoked about two packs a day. I remember actually going to the store to buy milk or something, and I would also get a pack of cigarettes for my dad. I remember at home during dinner my dad would be smoking, and when we were in the car he would have a cigarette. We did not think anything of it, but we have come so far since then.

I bring this up because smoking is one of those things that is a very frustrating vice. It does not make me happy to say this, but I could tell those watching and some of the younger people who are in the galleries tonight that my father died a horrible, painful, miserable death because of cigarettes. It was a terrible death. He was only 49 when he died, and a big majority of the problems he had were because he started smoking when he was 16 and he smoked two packages of cigarettes a day right up until the end. Even in the last couple of days in the hospital, he would still want to have a cigarette. At that time back in 1983, people could actually smoke in the hospital—not in their rooms, but they could go into the hallway and have a cigarette.

I remember further back to both of my grandfathers who also died with problems related to cigarette smoking. My mother died at 61 years old. She was never a smoker, but she lived with a person who smoked two packages of cigarettes a day from the time she was 19 to the time my dad passed away. This is something that is just a brutal, disgusting, terrible vice.

For those people who smoke, it is a hugely difficult thing to quit. I think we all know people who yearly make resolutions that they are going to quit smoking, and we see how much they struggle to quit

smoking. Some can go two or three months or even longer. I have an uncle who has not smoked for 25 years, but every day after dinner he still craves a cigarette. He has to put something in his hands to mock the motion of smoking, because he still has that craving for a cigarette, 25 years later.

I think it was the member for Saanich—Gulf Islands who brought up the fact that smoking at one point in time was marketed as a luxurious thing to do; it was somehow glamorous. However, the marketers did not tell people about the addictive nature of cigarette smoking. Provinces and the federal government have made huge progress. We have made huge progress in helping to reduce the amount of cigarette smoking we have. We have seen the labels on the packages, the horrifying images that show the results of prolonged cigarette smoking. When we see smokers with those packages, we often wonder how they can smoke when they see those images right on the package. It is very difficult for them to kick that habit.

● (1925)

We have done a heck of lot, working together, to try to reduce it. The member for Dartmouth—Cole Harbour talked about how cigarettes have to be hidden now. They are not on display behind the counter. In Ontario, and maybe a lot of other jurisdictions—I do not know, but I can speak to Ontario—one has to be 18 to buy a package of cigarettes. When the package is scanned, the machine will display “Show ID”, so the person buying the cigarettes has to show ID. The vast majority of retailers are very hard core on this. They make sure they do not sell to minors.

This is where we get into the dilemma of contraband tobacco. Any form of crime is obviously annoying. It is annoying for so many different reasons. I will just take a minute to congratulate the Minister of Justice, the Minister of Public Safety and all members of Parliament who actually support the bills and the initiatives we bring forward with respect to reducing crime in this country.

The justice system is what it is supposed to be. It is a justice system. We have to put the rights of the victims ahead of the criminals. The justice system also has to be just. It has to show the victims of crime that there will be justice.

We know crime costs billions and billions of dollars to the Canadian economy every year. I should not cite a number, but I think one of the reports I read at some point said crime costs the Canadian economy \$100 billion annually.

It is not just that. When we take a look at organized crime, which is responsible for a lot of this contraband, we see that its impact on our communities across this country is unbelievable. What we have is the big crime bosses who set their own crazy targets for what they want to accomplish and where they want to go. Then they recruit other people who will carry out their objectives. It is not just the drug smugglers. We are talking about contraband tobacco, and there is lots of money for organized crime to make. Organized crime gangs fight over this in communities across the country. They put the lives of our police officers at risk. They put our young people at risk. Sometimes the gangs fight it out on the streets over turf. We have to do something to combat that. That is why this is so very important.

Government Orders

One of the members opposite talked about how she had just quit smoking 12 days ago, and she also talked about the tax revenue that is generated from smoking. It is vexing in the sense that she is right. When something is taxed and it becomes profitable to go contraband, then there has to be a balance.

What makes this even more offensive is that these contraband cigarettes take away the revenue that would then go to pay for things like health care for the people who actually get sick because of cigarette smoking, and for those programs that we could then put in place that would help smokers stop smoking, kick the habit. Contraband cigarettes take away from the resources we have to combat crime.

It is offensive on so many different levels. That is why I am very happy that we brought this legislation forward.

Some of the members opposite have talked about budget considerations with respect to this initiative. Obviously the government has been focused and seized with the global economic downturn, on which we have done a spectacular job as a government and as a nation, working together, making sure we could create the million jobs and keep the economy going.

We were also focused on restoring balance to our criminal justice system. We have been focused on that since we were elected. What we are seeing, because of that focus on justice issues and because of the focus on trying to rebalance our justice system, is that crime rates are coming down. They are coming down in so many different areas.

● (1930)

That is allowing our police forces and communities across the country—our provincial police forces where we have them, including the OPP in Ontario, and our national police force, the RCMP—to redirect resources into areas where we have not seen the same amount of progress.

When we talk about budgets, it does not always necessarily mean that the only way we can solve the problem is by putting more money toward an issue. It means that when we have solved problems and made progress in certain areas, we can redirect resources to combat something that has become so important and this clearly is something we have to address.

We have heard many members on this side of the House and I suspect on the other side of the House talk about the problems that contraband tobacco is causing in their ridings and communities. We are hearing it on a number of different levels. We are hearing it because they do not want organized crime in their communities. However, we are also hearing it from a small business point of view.

I am no fan of cigarettes. If tomorrow there would be no more cigarettes at all sold in stores across the country, I would be the happiest member of Parliament. I am sure we would all celebrate that. However, as long as they are being sold, they have to be sold legally. They have to be sold in a controlled way, so only people who are old enough can do that and they have to pay their share of the taxes that come with that. When we do not tackle this issue, we are telling small business owners across the country that although they have to play by the rules, other people do not. We have to ensure that everybody plays by the rules and that is why the government has brought this forward.

As the Minister of Justice mentioned, part of this is a 50-officer RCMP anti-contraband task force. That is very exciting because also as part of the bill we will see a better opportunity for the federal government to work more closely with our provincial and municipal partners. This is an issue that one 50-member RCMP task force working in isolation is not going to solve this problem. We have to work more closely with our provincial counterparts.

The bill allows them to do that and puts a more direct approach into combatting this. I think we can all agree in the House that the RCMP is second to none when it comes to making our communities safe. I am very proud of the fact that there are a number of former RCMP officers within our caucus and sitting in Parliament who have had an opportunity to share their input on this, to share their frustrations as RCMP officers in dealing with this issue and how they would like to see the government tackle this problem.

When we talk about input, I look at the RCMP officers who are sitting in the House and the years of experience. I think it was the member for Kootenay—Columbia who was a very distinguished RCMP officer. He has been used for a tremendous amount of advice on this. The member for Northumberland—Quinte West, a former OPP officer, dealt with a lot of this in the constituency he represents now. He gave advice on how we should deal with this, and a number of other members. We took the advice of members of caucus, the member for Peterborough, the member for Wetaskiwin. We asked what some of the issues were for residents in their communities surrounding contraband tobacco. The member for Yukon, who was also in law enforcement, has dealt directly with this.

A number of members on this side of the House and I suspect on the other side of the House have talked about the problem with contraband tobacco. One of the things that made me want to get involved and be elected was some of the issues with respect to the gangs such as the biker gangs that were a problem in Quebec and in Ontario.

● (1935)

Organized crime is not only involved in things like drugs, tobacco and alcohol. We see the influence it has in things like the construction industry, not only in Quebec but other parts of the country. We cannot allow it to get a foothold in any part of our economy or communities. We have to take action. No matter how small the transgression, we have to show that the Parliament of Canada is very serious about those who seek to take advantage of our people and communities.

Make no mistake about it, this is one of the worst groups of people. When it comes to contraband tobacco, the people being targeted are kids, not parents, and those who maybe cannot afford to go to the store to buy cigarettes at full price. The people being targeted are the people we should be saving from organized crime.

Government Orders

When we talk about some of the things that will be brought in, the minister has also put in the bill, after a number of consultations with groups of people, minimum mandatory penalties, which we have seen in other bills. We see that they actually work, but they work for a number of reasons. They work because it shows the people who seek to commit these crimes that we are serious about justice in our country. Yes, it is important to rehabilitate, we have no problem with that, but the justice system is about justice to the people who have been aggrieved. When we bring in minimum mandatory sentences on issues like this, we show just how serious we are.

I am pleased those penalties are contained in the bill. I know it has been talked about a lot, but I will mention some of them. The penalties for a first offence are up to six months imprisonment on summary conviction and up to five years if prosecuted on indictment. Repeat offenders would face minimum mandatory penalties of 90 days on a second conviction, 180 days on a third conviction and two years less a day on subsequent convictions. It shows just how serious we are.

I have listened to the debate and a lot of members on both sides of the House are very supportive of this initiative. It is quite clear that almost all of us agree this is something that has to be tackled. We have to do a better job of protecting our communities. We want this bill to go to committee so we can get even more input.

I know the minister and the member for Burlington, who is the chair of the justice committee, have worked very hard to bring other people on board when it comes to legislation. When amendments are brought forward that make sense, that do not water down bills, that do not put the rights of criminals ahead of victims, we will listen. If we can make a bill better, of course, we will make it better. We will take that opportunity. This gives us an opportunity in our ridings over the coming weeks to communicate better with those who are involved.

I am very excited that there is support from all sides of the House to move this forward.

Again, I want to congratulate the Minister of Justice for another very important piece of legislation that will help us take the \$100 billion a year that crime costs the economy, that is taken out of the pockets of hard-working Canadian men and women and put it back in their pockets. We are going to deal with the people who seek to take advantage of the youth, who are so important to us. With 55,000 more young Canadians working, it is even more important that we ensure we protect them. We are going to tell those involved in organized crime that if they are going to take advantage of people in society, the Parliament of Canada is going to go after those who seek to take advantage of others and we are very serious about it.

● (1940)

[*Translation*]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, it is very interesting to hear our colleague from the Conservative party talking about reorganization, in order to ensure that the regions and the provinces have the necessary resources. We all agree that everyone should stop smoking. We also agree that contraband should not exist. We disagree, however, on the means required to achieve this.

When the member talks about reorganization, he is talking about resources. We know that the port of Vancouver is a place where there is more smuggling. There have been cuts. How is it possible to reorganize? Is it the provinces or the municipalities that will be responsible? Ultimately, it takes money, resources, education and prevention.

I am trying to understand how the member can tell us that with fewer resources, less money and less prevention, we can manage to eliminate contraband in this country.

[*English*]

Mr. Paul Calandra: Mr. Speaker, it is just the opposite. What we have done since being elected is focus on issues with respect to criminal justice in our country. We have put an enormous amount of resources into our Canada Border Services Agency, the RCMP and the Canadian Armed Forces. We have transferred billions and billions of dollars to our provincial partners so they can also get on board with some of the things we have done with respect to criminal justice, and they have done that quite well with us. We are very proud of that.

As I said in my discussion, we have seen crime rates come down in certain areas because of the hard work of our government and Minister of Justice. We have seen that our security service, the Border Services Agency, and the RCMP, with the additional resources that we have transferred through to the provinces, can redirect their resources to areas where it is important for us to tackle issues.

With respect to contraband tobacco, we know where those issues are. The new RCMP task force will be able to work with the provinces and municipal organizations to ensure that we target those areas and we start to solve this problem, as we have in so many other areas of the criminal justice system.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I would like to commend the member for his openness and powerful personal experience and anecdote. It is very helpful for Canadians who are watching the debate to understand just why it is so important to address the scourge of tobacco addiction.

I am the former legal counsel to the Non-Smokers Rights Association of Canada. I spent several years working to drive up Canada's non-smoking levels, which are now the leading levels. We have the lowest smoking levels in the OECD. I am really pleased to see many changes have been brought at the federal and provincial level. For example, in Ontario, there is no smoking allowed in cars with children under the age of 12 or 14 and there are no open displays of tobacco products in our corner stores.

I want to come to a point with my colleague and ask him to sort of square it up for me. It is a question I put to his colleague earlier today. The community police in my district tell me that now it is very important to get to the 8- to 14-year-old kids before they make the wrong choices. That includes the choice to smoke.

Government Orders

We have differences on this side of the House with the member and his party on mandatory minimums and their effectiveness. We look for real evidence to substantiate the claims that they are working. However, I will leave that aside for a second.

I want to ask the member how he sees the government moving forward on outreach and engagement, messaging, smoking cessation, advertising campaigns, explaining to the Canadian citizenry, particularly in our aboriginal communities where smoking rates are increasing the fastest. How do we deal with this as a national government? The answer surely cannot be that we simply transfer money to provinces. How do we deal with this to ensure that we message out to continue that success?

● (1945)

Mr. Paul Calandra: Mr. Speaker, the member is absolutely right. It is certainly not something that we can just farm out to the provinces. Obviously members of Parliament have a big role to play. We lead by example.

Of course, the Minister of Health has been working on a strategy to reduce tobacco use, and we have seen that. Working with our provincial partners, we have seen what we have accomplished with respect to cigarette packaging and what we have accomplished in having cigarette displays covered up at convenience stores.

However, the member is 100% right. We have to do more with respect to getting young Canadians to realize that there is nothing glamorous about smoking. I do not have the answers on how we can solve that problem, but I think we have to start talking to people about how miserable their lives will be if they continue to smoke.

When I talked about my father, it did not give me any great pleasure to rise in the House and remember those last few months, but I will talk about that with my kids. My kids are four and six, so it is a bit early, but I will certainly tell them why they should not smoke. I will explain very clearly why they never met their grandfather or grandmother. I think it is incumbent upon all of us to do that sort of thing.

I do not have all the answers, but I think that is one area on which parliamentarians on both sides of the House could probably come together and figure something out, because it is such an important issue to deal with.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I have been listening to my friend intently and to the commentary and questions across the way. Of course, we know that members of the official opposition want to grow the civil service so that the unions will pay more dues to PSAC so that PSAC can then send some money over and give donations to other people.

However, here is the real question. I think the member for Ottawa South hit some of the nail on the head. First, of course, is how we get it across to young people that smoking is not the in thing to do. Young people, in some ways, want to be somewhat rebellious, so we have to get people from a level they understand, the people they look up to, to bring out the message.

I know that some of the messaging has come through the school boards in the province of Ontario. I am sure the member would agree. That is why we have increased the social transfer of funds to the provinces: so that they can actually do those things. That is why,

instead of cutting back on health transfers, we have a \$40-billion increase.

We also know that researchers were counting and analyzing the cigarette butts in schoolyards. They found that 30% or more come from illicit tobacco, and that is what this bill specifically addresses.

This government also enlarged the size of the warnings on the packages and gave a 1-800 number for people to call.

I wonder if the member could comment on some of the issues I just raised.

Mr. Paul Calandra: Mr. Speaker, I think part of it is that we have to help young Canadians understand that when they smoke contraband tobacco, it is not okay. It is not a petty crime. It is not a little thing to have just a few cigarettes here and there and think no one is being hurt.

We have to help our young people understand that they are supporting organized crime by smoking these contraband cigarettes. As much as we advertise in a number of different areas as parliamentarians through our householders and advertise as government, we have to help young Canadians realize and appreciate the chain of events, including where an illegal cigarette comes from, how it is smuggled into our communities, the dangers it poses and the cost to taxpayers.

It is not just the kids. There are adults who will actually buy cigarettes for young people. We have to help people understand that this is a very serious issue. This is not something that should be laughed at, thinking it is just a few cigarettes here and there. We have to work more closely.

I mentioned the member for Northumberland—Quinte West earlier. As an OPP officer, he worked for many years in the community and has first-hand knowledge of the scourge that this is and that organized crime is. I think he is right. We have to do a better job by working together across party lines and with our provincial and municipal officials to show how serious we are about this issue and to show that even one contraband cigarette is breaking the law and that these are the consequences of doing it.

While we will probably disagree on minimum mandatory penalties, I think this would add to or elevate the seriousness of this crime so that more Canadians can understand that this is a very serious issue.

● (1950)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I rise today to join with my colleagues in debate on Bill S-16, a bill to amend the Criminal Code to deal with contraband trafficking in tobacco.

As I have done with all the bills we have been debating the last number of days, weeks and hours, I have to underline and underscore where this bill comes from, denoting for those who are watching from home that when it has an “S” in front of it, it is of course a Senate bill.

Government Orders

As an elected member of Parliament representing my constituents, I have to underscore my concern about how egregious it is that we have yet another bill coming from the other place. It is clearly a strategy of the government to start legislation in the other place and then send it over here. We just debated one on cluster munitions. It is actually the wrong sequence, and the current government is seemingly dependent on it. It is like a crutch. Relying on the Senate is the government's own addiction.

For reasons of accountability, be it on this bill or on the bill we just debated on cluster munitions, it is important to underline that we should not have bills coming from the other place. Now we are at Bill S-16, but the numbers go higher than that, if members can believe it.

The government should not be dependent on the Senate to be the originator of these bills. We cannot honestly look at ourselves as an institution doing the best we can when we have bills coming from an unelected Senate that is right now under investigation. It is unaccountable and it is a problem.

It is a problem because we get these bills at the end of a session in which they have already been debated as fully as they can be in the other place, with witnesses, and then we get time allocation on bills of this nature. We have it on contraband tobacco. We had it on cluster munitions. We had it on a bill that was to deal with foreign corruption. They are very serious issues.

We are getting these bills through time allocation. I underline that point. We had time allocation for the 47th time in this House for bills that the Conservatives want to get through. It really undermines our ability to do our job.

They have not had to deal with that in the other place. They have had time to examine bills and have witnesses without the pressure of time allocation. This bill is under time allocation, as members know. That is why we are debating it for five hours with the clock running.

The Conservatives say it is important and tell us what a great job they are doing on fighting crime, and there is all the other propaganda we hear. However, the point is that this should be the place where we have full debate. When legislation comes from the other place—the unelected, unaccountable and under-investigation Senate—we cannot do that to the extent that we should. Why? We are at the last couple of days of this session. In the last couple of days of this session, what are the Conservatives doing? They are rushing, putting time allocation on bills and pushing them through.

We just had it at the foreign affairs committee with a very important bill that we just dealt with there. The Conservatives actually went further than the time allocation at our committee. They said they would put five hours on it, but then asked if we would be willing to go down to three hours. That is what it has come to: rushing things through. Who cares if we even have five hours of debate? They just want to get it through. It is as if this is a rubber-stamp place.

I am sorry, but the Senate is the place that should be receiving the bills after we have a full debate here and hear from witnesses and have amendments. It would be nice if the Conservatives would actually accept an amendment every once in awhile. That would be just wonderful, but it is not likely.

We need to underscore this, because it is undermining our legitimacy as a House and it is undermining our committee work. I can say that for certain. If we just accept bills coming in and do not care where they come from and do not mention that, we fail to do our job as parliamentarians.

I mentioned at the beginning that this bill should not be originating from the Senate. It should be coming from the House of Commons. If the Conservatives cannot figure out how to make things work with a majority government and have to rely only on the Senate, then not only does the government have a problem, but our Parliament and our system have a problem that the Conservatives have created, and I need to underscore that.

• (1955)

The Senate is a crutch for the government, after 59 senators were appointed so they could do the business of the government, not the business of the people, and now we have bills coming through one after the other in the last number of days. One Senate bill after the next Senate bill; it is as if this is being passed along, photocopied and pushed out the door. It is offensive.

When we have senators like the one who apparently represents my area, Mac Harb, under investigation, the credibility of the institution is right now under question. We are now getting bills from senators as if we are supposed to be checking their work. It is supposed to happen the other way around. We are supposed to have the full debate; we are supposed to have the amendments here; we are supposed to have an ability to have good legislation written starting here. Yes, they can look at it. That is the way our system works for now until we deal with that problem.

However, to have it the other way around is offensive. It is offensive to our constituents. It is offensive to our system, and it actually does not make for good law because of the pressures we are being put under: the time allocation pressures; the pressures at committee where the mentality is that we get only a couple of witnesses, we do the line-by-line and then we get the sucker out of there. That is the mentality of the government, and it undermines the credibility of our Parliament. It is on the government's watch, so at the end of the day it undermines the credibility of the government for any kind of notion of accountability.

I also have to underline the government's dependence or addiction, almost like a tobacco addiction—

The Acting Speaker (Mr. Barry Devolin): Order, please.

The hon. member for Medicine Hat is rising on a point of order.

Mr. LaVar Payne: Mr. Speaker, I just was wondering when the hon. member was going to get around to discussing the issue at hand.

Government Orders

The Acting Speaker (Mr. Barry Devolin): As is often the case, the Chair will remind all hon. members to speak to the matters before the House and, as always and as is still the case, members are given a significant amount of latitude in so doing; but I remind all hon. members, in their speeches and in their questions and comments, to relate to the matter before the House.

The hon. member for Ottawa Centre.

Mr. Paul Dewar: Mr. Speaker, I am glad the member was listening, because it is important for him to know of the dependence of the government on the Senate.

Obviously, it is something that touches some of them who still believe that there should be some accountability. Kicking the addiction to tobacco is difficult. The government does not seem to be able to kick its addiction to the Senate. It is something it is going to have to work on. Clearly, it is a crutch the government cannot carry on with any credibility as a government that is accountable, particularly for those who pretended to come into town under the Reform banner suggesting that they were going to be different. However, that is another story.

When we look at the fact that this bill was brought from the Senate, that is one thing, but when the government talks about how important it is to deal with contraband tobacco and then puts time allocation on it, that makes one wonder. The government is suggesting that it heard enough witnesses in the other place, and now we can spirit it through here, because the other place dealt with it sufficiently. What happened to our independence over here? The government does not even distinguish anymore.

It has brought in time allocation, as I said, for the 47th time for Bill S-16. Why? I think it is that it really does not want to have debate, does not want to hear witnesses and does not care that there is actually more allowance for debate over there than here. That is what we are talking about.

An issue as important as contraband tobacco, which is something we have talked about here and that all parties agree on, the government will only allow five hours of debate on, because it actually does not want to debate. That is the subtext.

It is also important to note that this issue and this bill touch on not just what is happening in Canada. Contraband tobacco and the trade of contraband goods is an international problem. It is an international problem that has been affecting many of our allies, including our best ally and biggest trading partner, the United States. One of the things they have had problems with is trying to track it. If contraband materials are not checked, be it tobacco or other materials, that will actually undermine the credibility of governments and lead to massive corruption. Governments become dependent on contraband for revenue. That has happened.

We have seen this happen in countries. I will not name them, because I do not want to undermine the credibility of some of our allies. There have been recent cases where it has gotten so bad that countries, and some of the regions within countries, have been dependent on contraband revenues, and the very people who have been elected to represent the citizens of those countries have lost the ability to govern.

We have to be serious about it. I agree with those who mentioned that before. If we just look the other way when it comes to contraband, we will wake up one day and find that it is very difficult to deal with it. It is something that can corrode the ability of governments to actually do their jobs and govern. It is a serious issue.

We also have to accept the fact that we need people abroad to do that job. I just want to mention that one of the things we are very concerned about on this side of the House is the fact that the people who are representing us abroad right now are feeling that they are not being represented by the government. They have not been able to actually negotiate with the government.

It has gotten to the point that we have foreign service officers, who actually keep an eye on things like contraband and work with our border agencies, are having to go on strike and picket embassies. Right now, they are not being listened to. As I mentioned in the House earlier today, it has gotten to the point that the government cannot even negotiate with diplomats. That is how bad it is.

It is very important that we have those foreign service officers and border agencies that represent us abroad ensure that they are working with other jurisdictions to look at the patterns of corruption and at the sources of corruption when we are looking at contraband.

● (2000)

Contraband moves globally. It moves around the world, and we have to have good eyes and ears to work with our allies on it.

I would encourage the government to sit down right now with the people it needs to negotiate with, and that is our foreign service officers. The interesting thing that most people do not know is that they have accepted the government's demands for wage increases and the elimination of severance pay. If we are not negotiating with foreign service officers, and the government does not have the trust of our foreign service officers who deal with an issue as important as contraband, then it will be very difficult to crack down on it, and the government should know that.

I underline the importance of the government sitting down and negotiating with the brave men and women who are patriotic and represent us overseas. They are foreign service officers. I hope the government will have common sense and sit down at the table with them. The men and women abroad and the Canada Border Services Agency are the people who will deal with the concerns we all have with regard to the trade of contraband.

In the case of tobacco, it is important to underline that it is not just our friends to the south. This is a global issue. The markets are global. The trade of contraband tobacco is everywhere. It is in Asia, Europe and Africa. What I have not heard enough about from the government is the need to deal with corporations that right now are involved in the trade of contraband by way of fiat. What I mean by that is that there are corporations that are able to move product around the globe. We need to look at that. This is not just a couple of guys deciding that they are going to buy a bunch of tobacco, make their own product and sell it to kids, although I am sure that is happening. This is big business. These are big interests with big money, and we need to have the proper resources to fight it.

Government Orders

The government talks a good line on trying to crack down on this kind of crime. I will give it credit for that. The problem is that when we actually dig into the numbers and look at what the government has done to reach the goal of dealing with contraband tobacco, it is cutting border services and the capacity of the RCMP. Then it says that it is really serious about this. It cannot be serious about this issue unless it is going to have the requisite laws—and, yes, there are some good things in this bill that should be passed—and fulfills its commitment by having the resources on the ground. It has to make sure it has good labour relations with foreign service officers, gives the Canada Border Services Agency the tools it needs and makes sure the RCMP has the capacity it needs to deal with the issue.

By the way, on the RCMP, it is very important that we have a system to decide who is going to represent it. Recently, the government brought forward an initiative in the RCMP that is going to undermine the ability of the RCMP to do its work. Why do I say that? We learned recently that the government seems to reject the whole notion of allowing the RCMP to bargain through a union. The government thinks this is somehow going to undermine its credibility as a police force, when, in fact, what many within the RCMP want is to select their own representatives to bargain on their behalf, like other police forces, and bring forward the issues that matter to them.

The government does not want that. However, if there is going to be professionalism and the requisite training, the most important issue, when it comes to the relationship between management and those doing the job, is trust. The trust between the government and the upper levels of the RCMP, I do not have to tell anyone, is fragile.

● (2005)

For the RCMP officers to do their jobs and crack down on contraband tobacco, they need to have the trust of the government. They need reforms, which the government has fought against, and they need to have trust.

Right now, we do not often have trust between the border agents and the government. The RCMP is the same. Now we have the weird spectacle of diplomats actually striking, which is unprecedented. We look around the world and see diplomats on strike because our government cannot sit down and talk to diplomats.

It is not just the law. It is the capacity to enforce the law. I am very concerned that the government passes a bill and then says that all is fine. We have seen that with its crime bills. We have had provinces declare that these bills will hurt them.

When some of the players in the government were in the Ontario government, they passed laws, downloaded and said, “Here it is. Go deal with it”. They do nothing to help at the local level, or in this case, with provinces, which end up having to deal with laws the government passes without consultation and without any accommodation for the cost of their bills. We saw the costs being passed down for prisons and the basic justice system.

We will support the principles of the bill, but we have to note that the government has failed when it comes to gaining the trust of those who have to carry out and enforce this bill, in particular, when it comes to capacity, be it the RCMP, foreign service officers, who are

simply trying to sit down and negotiate, or the Canadian border service agents.

I would urge the government to deal with the full spectrum of what it means to deal with contraband tobacco and actually invest in the human resources. It should stop the rhetoric, deal with the reality and come up with a full spectrum when it comes to contraband.

● (2010)

Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC): Mr. Speaker, here are some statistics. Since 2008, the RCMP has laid approximately 5,000 charges under the Excise Act, 2001. The RCMP disrupted approximately 66 organized crime groups involved in contraband tobacco. Approximately 3.5 million cartons and unmarked bags of cigarettes were seized nationally by the RCMP, along with numerous vehicles, vessels and properties.

Since 2009, RCMP seizures of contraband tobacco have decreased by 41%, from 975,000 cartons and unmarked bags of cigarettes to 580,000 cartons and unmarked bags in 2011.

The member talked about the province. Has he spoken to the province about some of these statistics and how they impact Ontario, his province?

Mr. Paul Dewar: Mr. Speaker, I will be very direct with the member. Ontario and many other provinces have concerns about the downloading by the government when it comes to bringing in laws and not providing the support to enforce them.

While I am on my feet, I also want to underline the point that the government has to deal with this as a health issue. I heard some very moving testimony from my colleague about his father. I think we all have stories within our families about those who are addicted to tobacco.

We should lessen the effects of tobacco on our population. The government is actually bringing forward the regulations for dealing with light and mild cigarettes, which were announced in 2007 and re-announced in 2011. We are still waiting for the government to act on that. I would encourage the government to do that.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, by my count, the hon. member for Ottawa Centre spent about 60% of his remarks on the Senate. I would just like to walk through that door with him if I could, just to pick up where he left off. I would also caution him not to speak too openly about the RCMP. Most Canadians are looking at *CTV News* right now watching the RCMP in hot pursuit of his leader.

However, I share the hon. member's concern about the place of origin of the bill and the sequence by which it has been placed in the House of Commons. I also share his concern about the Senate having challenges. There is no doubt about it.

However, the member has been quite forceful and quite direct about his views on the Senate. I think that by implication, he is in favour of the Senate's abolition. Fair enough. That is a good position for him to take. I respect his position. I do not agree with it, but I respect it.

Government Orders

However, could he take a second and walk us through exactly how the NDP would abolish the Senate? Please do not tell us that he would simply conduct a referendum in the country. What measures, what sequence of events, would have to take place that would lead, if the NDP were in power, to the abolition of the Senate?

Mr. Paul Dewar: Mr. Speaker, I think the member should talk to his brother. I actually agree with his brother on one thing: Dalton and I do disagree on a lot, but Dalton and I agree on abolishing the Senate.

I know we are talking about contraband tobacco and I will get back to that, but to answer the member's question about how we would do it, we would listen to the people. It is probably not a bad thing. There are members over there who used to believe in referendums and going to the people, but they lost that long ago. They were corrupted by power.

We should talk to the people. The people of Canada should be heard. We should go to the people of Canada and ask them. We should then ask the premiers if they want to listen to the people of Canada, and if so, then let us do this, let us amend the Constitution and abolish the Senate.

Speaking of hot pursuit, I hope the RCMP are in hot pursuit of Mac Harb. My God, the constituents in my riding who are waiting for affordable housing would love to see the \$200,000 go toward building affordable housing and not to Mr. Harb—

● (2015)

The Speaker: Order. The hon. member for Dartmouth—Cole Harbour.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, my colleague talked a lot about the fact that Canada's legislation is good but the way the government is going about it, by bringing it in through the back door, is wrong. The lack of consultation and shutting down debate is wrong.

I wonder if he would agree with me that there is an additional concern here and that is the fact that the government has cut \$687.9 million from public safety from 2012 to 2015. That was in budget 2012. Then again in 2013, these cuts continued with a 29.8% decrease.

I would like the member to comment on the fact that the Conservative government is great at standing up and pontificating on how it is tough on crime, but when it comes to putting dollars where they count, in order to make sure that law enforcement agencies can do something about these issues, it falls flat.

Mr. Paul Dewar: Mr. Speaker, finally a question that is so focused and clear that I can answer it with absolute certainty.

That is exactly the problem with the government. It passes these laws, it talks at great lengths about cracking down on crime, but the problem is it takes all the tools away, so we end up with a lot of rhetoric and laws on the books but no enforcement mechanisms. It is undermined.

That is why provinces are speaking out. That is why people are concerned about the lack of consultation. We have a government that is actually downloading all of its responsibilities to someone else. That is called freeloading where I come from. If the government says

that it is going to do one thing in terms of law and then turns around and makes someone else pay, I call it freeloading. That is what the Conservative government is doing.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, this is obviously an important bill.

I did not hear much in the member's speech on some of the more technical issues and I would just like the member to weigh in on them. Does he recognize that tools are given to both the provincial Attorneys General and the federal Attorney General to coordinate on these issues?

There is the premise that the current system of enforcement is mainly in the Excise Act. I would like to know if he appreciates having these other tools in the Criminal Code to charge and go after those who are trafficking in heavy amounts, because they often support organized crime.

Since the member said that some provinces are not supportive, I would like him to name one or two of the provinces that are not supportive of this bill.

Mr. Paul Dewar: Mr. Speaker, my father spent most of his career working for customs and excise. One of the things that he always related to me was the need for capacity. He did not call it that in those days, but he meant that human resources were needed to do the job. He used to negotiate GATT in Belgium. He was proud of the fact that we would negotiate realistic terms that were in line with other countries. When things were being negotiated at that time, things like the General Agreement on Tariffs and Trade, everything needed to be synchronized and in line. We need to do that here in Canada with the provinces. We can pass these powers to Attorneys General across the country, but if we do not have the mechanism for enforcement, then we have only done half the job.

The government has not done its homework or consulted. Sadly and specifically, most provinces are against the direction the government is going. It brings in crime bills but does not follow up with the capacity. That is the problem with the Conservative government, and that is the problem with the way it does business.

● (2020)

The Speaker: Resuming debate.

Before I recognize the hon. member for Selkirk—Interlake, I will just inform the House that we are now moving into the section of debate where speeches will only be ten minutes and questions and comments five minutes.

The hon. member for Selkirk—Interlake.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I am pleased to rise to speak in favour of Bill S-16, an act to amend the Criminal Code (trafficking in contraband tobacco).

The bill proposes amendments to the Criminal Code to create a new offence of trafficking in contraband tobacco and provide minimum penalties of imprisonment for persons who are convicted for a second and subsequent time for this offence.

I am going to be speaking very specifically about the bill, unlike some of the other speeches that we have heard from the other side today, so members will not have to make sure that I am being relevant.

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The bill would fulfill the government's 2011 election policy platform commitment to help reduce the problem of trafficking in contraband tobacco by establishing mandatory jail time for repeat offenders of trafficking in contraband tobacco. I have to thank the Minister of Justice, the Minister of Public Safety and the Minister of Health for working together to bring about all the aspects of what we are trying to accomplish with Bill S-16.

Bill S-16 proposes to create a new offence dealing with contraband tobacco trafficking. Indeed, the bill would prohibit possession for the purpose of sale, offer for sale, transportation, delivery or distribution of a tobacco product or raw leaf tobacco that is not packaged, unless it is stamped. The terms "tobacco product", "raw leaf tobacco", "packaged", and "stamped" have the exact same meanings as we see in section 2 of the Excise Tax Act of 2011.

The maximum penalty for a first offence would be up to six months' imprisonment on summary conviction and up to five years' imprisonment if prosecuted on indictment.

Repeat offenders convicted of this new offence in cases involving 10,000 cigarettes or more or 10 kilograms or more of any other tobacco product or 10 kilograms or more of raw leaf tobacco would be sentenced to a mandatory minimum of 90 days on a second conviction and a minimum of 180 days on a third conviction, and a minimum of two years less a day on subsequent convictions.

These proposed measures would undoubtedly have an impact on organized crime and on the sale of contraband tobacco. I also believe that this initiative would have a positive effect on the health of Canadians.

We all know, and we have heard it said here earlier today, that there are really three general rules for healthy living. If we want to have a healthier Canada, there are three things that we really have to do: get physical activity on a daily basis, eat well and eat healthy, and stop smoking.

For those who do not smoke, do not start. Smoking cessation is key to ensuring that people live longer. Smoking is tied to so many health problems, whether it is lung disease, heart disease or cancer. Those are the things that we have to ensure we prevent and save people all the agony of going through those terrible chronic illnesses.

We also know that there are a number of things that we can do to stop smoking and reduce smoking and other tobacco intakes. We know that implementing high tobacco prices achieved through excise taxes is an evidence-based strategy to reduce the use of tobacco products. We know among Canadian adults it is estimated that a 10% increase in price is estimated to result in a decrease in cigarette demand of up to 4%. There is a correlation. It is proven and it is statistical.

However, the presence of cheap contraband cigarettes, sold without all appropriate taxes applied, undermines the potential health benefits of this effective intervention by providing an accessible alternative to quitting, thereby increasing relapses and encouraging people to start smoking again.

The illegal sale of contraband cigarettes increased exponentially in Canada between 2002 and 2008, particularly in Canada's largest provinces, Ontario and Quebec. In 2008, the contraband tobacco

market in Ontario was estimated to be as much as 42% of total cigarette sales. Contraband cigarettes enter the Canadian market through many sources: unlawfully or lawfully manufactured and smuggled in from the United States, unlawfully manufactured right here in Canada, counterfeit products entering the country illegally, and other related criminality, such as thefts.

Studies have demonstrated that persons who smoke contraband cigarettes have higher levels of nicotine dependence, have been smoking for longer in terms of pack-per-year history, have no intention to quit, perceive themselves to be very addicted, have previously used pharmacotherapy to stop smoking and are exposed to smoking in the home, compared with those who used premium or discount tobacco brands. Studies have also shown that people who smoke contraband cigarettes are somewhat less likely to attempt to quit compared to those who use a premium or discount tobacco brand.

● (2025)

We all know that tobacco products are ranked by the World Health Organization as a level one carcinogen. That puts it on the same level as asbestos, mustard gas and nuclear radiation. Therefore, we need to make sure that people stay away from tobacco products. As the member for Oak Ridges—Markham mentioned earlier tonight, I have witnessed people in my family, loved ones, suffer horribly and die horrific deaths because of their heavy tobacco use throughout their lives.

In my view, a successful approach to combatting contraband tobacco cannot rely solely on legislation. Although tough legislation such as Bill S-16 is necessary, a government strategy must also involve the use of law enforcement.

We have been talking tonight about some of the efforts being made by law enforcement agencies, particularly the RCMP. In this regard I have to note that our government is advancing its efforts to combat the trafficking and cross-border smuggling of contraband tobacco by standing up and establishing a 50-officer RCMP anti-contraband tobacco force. This anti-contraband tobacco force would target organized crime groups engaged in the production and distribution of contraband tobacco. Its goal is to have a measurable impact on reducing the contraband market and on combatting organized criminal networks. This would align with the RCMP contraband tobacco enforcement strategy, which focuses on reducing the availability of and demand for contraband tobacco and the involvement of organized crime, as well as build on our existing federal enforcement measures.

The Government of Canada recognizes that contraband tobacco smuggling has become a serious problem in the last few years. Certainly, Canadians want to be protected from offenders involved in these contraband tobacco smuggling operations, which threaten their safety and that of their families, as well as their health and the health of our youth.

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I can speak for the communities of Selkirk—Interlake, which are very rural ridings, and Metis and first nation communities. No one likes having criminal elements in our neighbourhoods. No one wants those criminal elements and organized criminal gangs selling contraband tobacco and other illicit drugs to our youth. Canadians want to be protected from organized crime that is associated with contraband tobacco activities. These proposed amendments and the establishment of a 50-officer RCMP anti-contraband tobacco force would do just that.

I have to say that I respect the RCMP and all of its efforts related to community safety. I respect the work that it is doing on the Hill. I know it wants to stop contraband, stop organized crime and stop smoking. I just wish that the NDP leader would stop at stop signs, that he would stop for the RCMP cruisers when they chase him and he would stop being so mean.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I appreciate the comments of the member opposite. I would ask him to explain to Canadians how he and his colleagues think they can achieve all that needs to be achieved, as he so rightly said, with respect to the enforcement of contraband tobacco, when there has been nearly \$700 million cut from public safety. The regional priorities and planning document from that department stated that there would be nearly 700 people cut from public safety over the next three years. How will it be able to do everything we want it to do if it does not have the tools and the resources to carry out those responsibilities? Could he please explain that?

• (2030)

Mr. James Bezan: Mr. Speaker, we would be able to do this within existing resources, and we would make sure we were standing up a 50-member RCMP unit that would go out and target where the high levels of contraband are. They would be able to do this within existing divisions across the country. They would get the support they need from the existing budget and from their own leadership. We know they would have a positive impact on reducing contraband sales as well as the criminal activities that are tied to the smuggling of contraband and illicit sales across this country.

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I would like to thank my colleague and friend for the work he has done on skin cancer.

According to the senior policy adviser with the Canadian Cancer Society:

Tobacco is the leading preventable cause of disease and death in Canada, and we need sustained federal government action in response. Other countries are looking at new ways to protect their citizens from tobacco-related disease.

The government previously set a goal to reduce the number of people who smoke to one in eight Canadians. Currently Health Canada reports that tobacco is responsible for 37,000 deaths annually. I am wondering what other recommendations the member would suggest the government bring forward to reduce smoking rates to the 12% prevalence goal adopted by the government in 2007.

Mr. James Bezan: Mr. Speaker, we just actually renewed the federal tobacco strategy here in 2012, and we are going to continue to work on tobacco control. This is aimed to preserve the gains we have made over the past 10 years and to continue the downward trend of smoking prevalence.

As the member mentioned, the worst part of tobacco use is cancer and the horrible way it impacts upon people's lives and all that we have to deal with in losing loved ones because of the cancer caused by cigarette smoking.

It is not just cancer. We are talking about respiratory diseases and heart illness. One cigarette contains more than 4,000 chemicals. We know that 70 of those are carcinogenic, and they contribute to numerous forms of cancer. We have to make sure that does not happen.

[*Translation*]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I would like to know what measures the Conservative government plans to take in order to ensure that if minimum sentences are applied, the provinces and the federal government have the means, the resources and the space to accommodate all these people.

[*English*]

Mr. James Bezan: Mr. Speaker, the bill does provide for co-operation between Attorneys General across this country as we have seen in other pieces of legislation. The federal Attorney General and provincial Attorneys General would be coordinating any problems they may see in increases in imprisonment in provincial jails.

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I asked my colleague a question earlier and said that I quit smoking 10 days ago. I appreciate the warm applause I received from most of the members in the House. I think that if everyone got that kind of encouragement when they quit smoking, far more people would do it and feel motivated. I wanted to thank my colleagues before starting my speech.

Today, I will be speaking to Bill S-16 on tackling contraband tobacco. The purpose of the bill is to add offences to the Criminal Code, particularly with regard to contraband tobacco. The bill also introduces minimum sentences, among other things.

The 2012 National Assembly of Quebec study on measures to counter the use of contraband tobacco found that:

In 2007, more than one-third of the cigarettes smoked in Quebec and Ontario were contraband and over 90% of these illegal cigarettes came from aboriginal reserves and lands.

It is important that we not take these statistics lightly. These are alarming numbers, and I think they are also cause for concern when it comes to health and safety.

The provisions being introduced by the government seem superficial or do not reflect all the issues associated with contraband cigarettes. We want this matter to be addressed in committee so that we can understand and clarify all the related issues.

We must think more comprehensively. Contraband cigarettes are one part of the overall issue of smoking. I think it must be addressed in a much more comprehensive, societal manner. We must adopt a holistic vision. Contraband is a symptom. It is one factor that reveals a whole.

This increasing production and distribution meet a consumer demand. Why is that demand growing? Why is contraband growing?

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First we have to understand that demand among young people is high because prices are low. Cigarettes are unfortunately readily available and everywhere. It is much easier for a youth to get hold of contraband cigarettes than cigarettes purchased in the legal market, if you compare the two products. Legislation has been made tougher. Stiff fines can be levied on food markets, and they will no longer take the risk of selling to young people. However, dealers in contraband cigarettes have taken advantage of this by the back door. That causes another problem.

Info-tabac.ca has offered an explanation regarding young people:

While legally sold cartons cost approximately \$60, smokers can buy 200 aboriginal cigarettes (the equivalent) for one third of the price. In addition to being available to anyone who wishes to buy them, including minors, these “discount” packs do not carry any health warnings.

This unconditional permanent availability at lower prices is the crux of the problem. It undermines health, but also safety and the economy. The situation results in major monetary losses for various countries and monetary losses for businesses and authorized resellers.

Furthermore, the Association des détaillants en alimentation has noted that cigarette sales have fallen by 30% to 50%. We would be very happy if there had been a similar decline in smoking, but there has unfortunately been no significant reduction in tobacco consumption. Sadly, it even continues to increase.

According to that same association, sales of contraband tobacco are still rising at a tremendous pace and now exceed legal tobacco sales. The result is a genuine social and economic crisis. Criminal groups control most of the market. The rise in tobacco use by young people is caused by the low price and high availability of illegal tobacco.

● (2035)

Tax revenues from tobacco sales in Canada have fallen by nearly \$2.4 million, and there have been job losses as a result of the thousands of convenience stores that have closed since trafficking in contraband tobacco began.

This illegal trafficking is also alarming from a public safety standpoint because of uncertainty over the content of these cigarettes—the chemicals they contain—and unfortunately because of the growth in illegal rings in the area. These trafficking rings often have targets because this is a financing method for them. However, they do not merely engage in cigarette trafficking; they also traffic in drugs and weapons. In my opinion, these two factors pose even greater threats to our security both nationally and internationally.

Our approach to combating contraband has to change. First of all, it is fundamentally important to consult the provinces, the territories and first nations communities. In its study on measures to combat illegal tobacco use, the Public Finance Committee of Quebec's National Assembly recommends:

That the Government of Quebec create a joint commission involving five parties, namely the governments of Quebec, Ontario, Canada and the United States as well as the Mohawk nation, to fight contraband tobacco and to develop an action plan dealing...with: A “win-win” agreement among the governments and aboriginal people to stop the large-scale tax-exempt sale of tobacco to non-aboriginal people...

I think we need to apply this logic at the federal level so that we can get to the crux of the issue and understand expectations. The

2009 report of the Government Task Force on Illicit Tobacco Products stated:

...any comprehensive attempt to address the domestic tobacco situation in Canada will require the participation and collaboration of First Nations communities.

In order to fight contraband effectively on the ground, we need to work in partnership with the communities that are most affected, just as we need to work with aboriginal people, youth and people faced with social challenges or living in poverty.

We can also target youth with public awareness and information programs on contraband cigarettes. We can do more to protect minors. Of course, it is already illegal to sell tobacco to minors, but we can do more to highlight the dangers of smoking.

One of the measures is to work with grassroots campaigns spearheaded by associations, neighbourhoods, merchants and relatives. We must work together with those who are already in the field, with those who are directly involved.

A study of the problem giving rise to the bill requires a comprehensive strategy at the federal level, in conjunction with the groups that are affected and involved. We must facilitate a dialogue in order to find possible courses of action and ensure consistency in the measures implemented.

In my opinion, if we send the bill to committee, we will have an opportunity to hear from witnesses and experts who have legitimate experiences to share. I sincerely hope the committee will do some very good work, so that we can adopt a holistic approach that is a great deal more comprehensive than what is set out in the current bill. We must not only work with grassroots groups on the ground, but also with law enforcement authorities to make sure we have enough police and they are able to get to the root of the problem efficiently.

There must also be better control at borders and for that, unfortunately, we need more people. Because of recent cuts, it is increasingly difficult for teams of border officers to play a part in this campaign.

We must think in terms that are much broader than those in the current bill and set up a global strategy that takes into account all the stakeholders who are doing everything they can to fight the problem, a strategy that maintains or increases staff in the Canada Border Services Agency and one that preserves funding allocated to the police.

One of the measures to be taken involves resolving the paradox between the lack of preventive action and the elimination of smuggling. Unfortunately, people still talk about the law of supply and demand, so it is appropriate to take action that reduces the demand.

● (2040)

We need to do more to encourage people to stop smoking so that, when they realize that smoking costs too much, they do not turn to smuggled cigarettes but rather to smoking cessation help.

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[English]

Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC): Mr. Speaker, I listened to the member talk about what this bill would do, but I believe that she missed the primary target of this new offence, and that is organized crime and the organized crime groups that are involved in the large volume trafficking of contraband tobacco. In her speech this evening, I did not hear her address the real issue and the real primary target of the legislation, and that is organized crime.

Would she please speak to that?

• (2045)

[Translation]

Ms. Christine Moore: Mr. Speaker, I am sorry that my colleague was not able to hear the whole of my speech. I said very clearly that this benefits organized crime, organizations that also deal in weapons and drugs. I did say that these dangers were even greater and that criminal organizations are not content with merely being involved in contraband tobacco.

I do not know why she did not hear this part of my speech, but I think I expressed myself very clearly. I am really quite astounded that she did not understand.

[English]

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I remind my colleague that almost half the world's children breathe air polluted by tobacco smoke. Tobacco kills someone every six seconds and kills up to half of all users. It is a risk factor for six of the eight leading causes of death in the world. According to Physicians for a Smoke-Free Canada and the Non-Smokers' Rights Association, existing laws were not enough to prevent industry from achieving a significant delay in the implementation of new health warnings.

In her opinion, has the federal government addressed all elements of the global tobacco treaty?

[Translation]

Ms. Christine Moore: Mr. Speaker, I do not have the treaty in question in front of me, so it is difficult for me to answer the question.

However, with regard to young people, I would like to mention a point that I did not have a chance to discuss in my speech. Children who are exposed to second-hand smoke can also be influenced by the example they have in front of them and start smoking. Young people often smoke in secret. It is very hard for them to say openly that they have made a mistake and that they would like to stop smoking and get help.

When you do not have enough money to buy cigarettes legally, or at market prices, it is easier to buy illegal cigarettes than to find help to stop smoking. It is not necessarily easy to get help.

Mr. François Pilon (Laval—Les Îles, NDP): Mr. Speaker, my daughter lives in Oka. When I go to visit her, I go past stands with signs saying “Illegal Cigarettes” in big letters.

No one is arrested, because the police, due to the lack of resources, cannot arrest people who sell illegal cigarettes right now, even if they do have big signs.

Does my colleague think that, without funding, this bill will do anything to change this state of affairs?

Ms. Christine Moore: Mr. Speaker, that is one of the essential points I stressed in my speech.

The funding must be part of an overall approach. We cannot merely put legislative measures in place; we must also allocate funding to tackle the problem. Border agent positions have been eliminated, but tobacco often moves across borders.

If we really want to tackle contraband tobacco, we must not only address the legal aspect, but also provide funding for the agencies that work to combat it. We also have to talk about tobacco addiction and do more prevention so that fewer and fewer people smoke and demand for these products shrinks. We also have to improve access to resources that will help people to stop smoking.

[English]

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, I am very pleased to be here tonight to speak to Bill S-16, An Act to amend the Criminal Code (trafficking in contraband tobacco).

This important legislation would fulfill our 2011 platform commitment to address trafficking in contraband tobacco by creating mandatory minimum terms of imprisonment for repeat offenders and establishing a new dedicated RCMP anti-contraband force of 50 officers.

This commitment was not made in a vacuum. The illicit trafficking of tobacco is a multi-billion dollar business that fuels organized crime and corruption and leads to addiction to what is widely accepted to be a deadly product. The illegal commerce in tobacco is so profitable that tobacco is well on its way to becoming the world's most widely smuggled legal substance.

If passed, Bill S-16 would equip the RCMP and our courts to deal more effectively with the scourge represented by the proliferation of these illicit tobacco products in Canadian society. These products, many of which are counterfeit or manufactured in unregulated and illegal facilities, often contain impurities and contaminants that add to the dangers already posed by smoking.

These illicit tobacco products are being sold in great quantities to teenagers and younger Canadians at a time when we as a society are strongly discouraging smoking due to the long-term and serious health risks it poses. The sale of illicit tobacco continues to represent a source of danger to the health of Canadians. This alone argues for strong measures of the type proposed in Bill S-16.

Importantly, the illegal nature of the production and distribution of contraband tobacco products means that they also escape Canadian taxes. This is one reason why they can be sold at discount prices. Clearly, this undermines the capacity of our tax system at the very time that the Government of Canada is working hard to balance our books in a responsible and effective way.

Government Orders

Before I get into the details of Bill S-16, I propose to give members a brief background on how the current law operates, why it needs to be changed and what the bill would do.

At the outset, I would observe that there are at present no provisions in the Criminal Code dealing directly with trafficking in contraband tobacco. Instead of being prosecuted under the criminal law, contraband tobacco is dealt with under the Excise Act. Although it contains prohibitions and penalties, the primary focus of this legislation is on revenue-related issues.

The range of tobacco-related activities the Excise Act prohibits includes the possession and sale of tobacco products not properly stamped. This means tobacco products for which the appropriate taxes and duties under subsection 32(1) have not been paid.

Contravention of this provision is punishable by fine. The size of the fine depends on the amount of tobacco involved. A jail term may also be imposed and may be up to a maximum of five years on indictment or 18 months on summary conviction.

While there have been successful prosecutions and seizures of illicit tobacco products and the vehicles used to transport them, it is indisputable that the problem persists and that it continues to grow despite the best efforts of law enforcement. In short, the strong measures proposed in this bill are necessary due to the serious nature of the challenges posed by trafficking in contraband tobacco.

Allow me to remind members that the current challenges are different from those of 25 years ago when the problem first gained national prominence in Canada. At that time, the issue was the criminal diversion of legally produced and exported Canadian tobacco products back into Canada at discounted prices.

Although the problem abated temporarily, it has returned over the past 10 years in the renewed form of the illegal manufacture of tobacco products and the illegal importation of foreign tobacco products.

● (2050)

There are many sources of illegal tobacco products on the Canadian market now: counterfeit cigarettes imported from overseas; cigarettes produced legally in Canada, the United States or abroad and sold tax-free in Canada, which is a recurrence of the issue we faced 25 years ago; and fine-cut tobacco imported illegally, mostly from the United States.

Most of the illegal activity involved in trafficking contraband tobacco in Canada occurs in Ontario and Quebec, and involves various organized crime groups that have established distribution networks that use violence, intimidation and bribery. They also use the income generated from contraband tobacco production and distribution to fund other criminal activities and to establish links with other criminal organizations. Clearly, strong measures are required.

This brings me back to the details of Bill S-16, also known as the tackling contraband tobacco act. What does this important bill propose?

First, it would create a true criminal offence by amending the Criminal Code to include a provision to deal with activities ranging

from the sale, offer for sale, possession for the purpose of sale, transportation, distribution and delivery of contraband tobacco.

Second, it would set out a series of escalating penalties to send the message that this form of illicit trade will be dealt with sternly. The maximum penalty for a first offence would be up to six months of imprisonment on summary conviction and up to five years of imprisonment if prosecuted on indictment. However, repeat offenders convicted on indictment of this new offence would be sentenced to a mandatory minimum jail term of 90 days on a second conviction, a mandatory minimum jail term of 180 days on third conviction, and a mandatory minimum jail term of two years less a day on subsequent convictions.

The triggering quantity of contraband tobacco for this new offence and these new penalties would be an amount equal to or greater than 50 cartons or 10,000 cigarettes, or an equivalent amount of other unstamped tobacco products. This threshold has been chosen on the basis of the experience of the RCMP in dealing with tobacco smuggling.

Generally, only the provinces prosecute Criminal Code offences. However, in order to allow federal prosecutors to prosecute this new offence, a concurrent jurisdiction clause is proposed to be added to the Criminal Code. This is true criminal law. It is strong medicine for a serious national disorder. The primary target of this new offence and penalty scheme is organized crime groups and their associates who are involved in the large volume trafficking of contraband tobacco. In short, this important bill proposes a strengthened anti-contraband enforcement strategy that includes real jail time for repeat offenders in order to address the growing contraband tobacco market in Canada. These measures are timely and would be an effective way of dealing with this illicit and dangerous commerce.

In closing, I thank members for their attention and urge them to support this bill in the interest of the health and safety of Canadians.

● (2055)

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I appreciated the comments from the member opposite. She clearly takes seriously the government's intention to crack down on contraband tobacco, and I could not agree more.

Does the member share with me the concern that this important endeavour that is being handed on to law enforcement agencies in this country would be jeopardized, in effect, because of the nearly \$700 million cut to public safety that was announced in 2012 and that will be concluded in 2015? Nearly \$700 million will be taken out of the budget of those agencies and departments that will be responsible for leading the efforts to control contraband tobacco at our borders and in our ports.

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Ms. Lois Brown: Mr. Speaker, I do take this very seriously. My riding of Newmarket—Aurora was one of the ridings in which they did some experimental studies to find out the seriousness of contraband tobacco coming in. What they found was more than 30% of the cigarette butts that were picked up around the local high schools were cigarette butts from contraband tobacco.

I care very deeply for the youth in my riding and I would like to do everything within my capabilities to ensure these young people have the opportunity to grow up safely and securely, without organized crime around them and in good health, because they are our future generations. They are our leaders of tomorrow, and we want to see them have a safe future.

• (2100)

[*Translation*]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, as I was listening to my distinguished colleague's speech, I noticed that we are in complete agreement with respect to our objectives. We are against crime, against the danger that tobacco use represents, and against the criminal activity surrounding tobacco smuggling.

However, I do have questions about our ability to deliver the goods. If we really want to fight crime, we must not only pass a bill, but also ensure that the legislation has teeth. Criminals have to go to prison; that is what I want.

I should point out to the member that I am from the city of Laval. Laval has big problems with organized crime and political corruption. It is a major problem. I cannot hide that. It is not pleasant to see our tax dollars pocketed by crooks and thieves—not petty thieves, but career criminals.

What I want to know, and what the people of Laval want to know, is whether, as in the case of the fight against tobacco, when we discuss this bill point by point, the Conservatives will have recommendations and accept them so that we will finally have legislation to take down the Mafia.

[*English*]

Ms. Lois Brown: Mr. Speaker, we are always open to listening to thoughtful recommendations that are brought forward in committee. We look forward to what our colleagues on the other side of the House might propose.

The member identified his area as Laval. Indeed, Ontario and Quebec are some of the hardest hit areas. We have not created this bill without consultation. Long before I was elected, I had the opportunity to spend some time with the RCMP in Cornwall. We took one of its boats out onto the river. The officers told us where the contraband was coming from. They showed us what their problems were.

We have been in consultation with our RCMP officers on this. We are going to dedicate a new force of 50 RCMP officers to work on the contraband file. We will continue to work with our police enforcement agencies across the country and we look forward to solving this problem.

[*Translation*]

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, sometimes the debate shifted away from the main subject of the bill.

I would like to say that I personally hate cigarettes because I am asthmatic. My brother and I—he more so than I—suffered the effects of second-hand smoke throughout our entire childhood.

I want to make one thing clear from the outset. I have never smoked and I dream of a world where people will spend the same amount of money—a carton of contraband cigarettes is worth \$20 or \$30—on healthy goods, and goods sold by merchants. I dream of a day when merchants will make money by selling goods that are less harmful to our health. I thought it was important to say that before some members asked questions outside the purview of the bill we are debating today.

We are debating S-16, Tackling Contraband Tobacco Act. First, I will explain what contraband tobacco is. It is any tobacco product that does not comply with the provisions of applicable federal and provincial legislation. This includes the importation, stamping, marking, manufacturing, distribution and payment of duties and taxes.

At present, there are no offences in the Criminal Code dealing specifically with contraband tobacco. That is why Bill S-16 was introduced.

By adding to the Criminal Code offences pertaining to contraband tobacco similar to those found in the Excise Act, 2001, Bill S-16 would authorize all police services to crack down on contraband. That is one of the interesting aspects of the current bill. I want to make it clear: any police force could take action to crack down on contraband tobacco.

According to the Royal Canadian Mounted Police, contraband tobacco products fall into five major categories. It is interesting and much more diverse than what one might think. It is a far cry from the cliché where contraband is found in only one Indian reserve located somewhere in Canada. It is much more complicated.

These types include the following: American product smuggled into Canada; product that is illegally manufactured within Canada; counterfeit product that enters by sea container, because all transactions at ports are a big problem when it comes to smuggling tobacco products; product to be sold on first nations' reserves that has been diverted to the wider market, which is an important nuance because when something is diverted to the market it is not exclusively an aboriginal issue, since anyone can be diverting the product in this illegal exchange; and product sold on the Internet, including illegally manufactured and counterfeit products, as well as products for which duties and taxes have not been paid. This is a serious problem that affects the entire country.

Where does the NDP stand on Bill S-16? The NDP will support the bill at second reading so it can be studied in committee. Why is this study important? Because the bill raises some questions.

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For example, have the consultations with the provinces, territories and first nations communities thus far been sufficient? We hope that the study in committee will ensure that such consultations are held and will help strengthen them.

We are also worried about something that we have seen a lot of since the Conservative government came to power: the mandatory minimum sentences included in the bill. This really bothers me. I think it is an insult to the intelligence of the justice system and our judges, who are always dealing with very complicated situations.

Imposing a minimum sentence on someone who allegedly smuggled goods because of extenuating circumstances can be quite different from imposing that same sentence on a real smuggler who was running a quasi-professional operation and who may have also laundered money.

When the government puts a minimum sentence on everything it is essentially saying that our judges are not smart enough, but I think that they do a great job. Nevertheless, the minimum sentences are here again in this bill.

• (2105)

The bill includes mandatory minimum prison sentences for repeat offenders. That is reasonable, given that we are talking about recidivism. Unlike other bills we have seen, we are not talking about a minimum sentence for the first offence. The mandatory minimum sentence is 90 days for a second offence, 180 days for a third offence, and two years less a day for every other subsequent offence. These are well-defined minimum sentences that may seem reasonable and would be in some cases, but are nonetheless minimum sentences. In some cases, there could be some mitigating circumstances for one of the accused. Are these minimum sentences, suitable sentences? The question has to be asked or minimum sentences will be handed down indiscriminately, based on personal experiences or what happened to our brother-in-law three years ago. We must absolutely allow the standing committee to address this.

Tobacco smuggling in general is a problem for a number of reasons. The first pertains to public safety. The RCMP estimates that about 175 organized crime groups profit from the sale of illegal cigarettes and use those profits to fund other criminal activities, such as drug and human trafficking. An increase in tobacco smuggling therefore supplies a chain of criminal activities. There was a drop in tobacco smuggling in the 1990s, but it has increased dramatically since 2000. Tobacco smuggling supplies an entire chain of criminal networks, which are even involved in the extremely reprehensible practice of human trafficking.

The government is introducing a law and order bill while making over \$200 million in cuts to the RCMP's budget. That is disturbing. Once again, we have to wonder about this. The government is announcing that a certain amount of money will be allocated to the fight against tobacco smuggling, which is a measure that is welcomed by the associations that are directly involved. However, this is all just smoke and mirrors since, meanwhile, the government is making cuts to the RCMP's overall resources.

I have the same question that my colleague asked about 15 minutes ago. How can we eventually deal with serious crime if we have

fewer resources? How can we get to mafia and gang leaders with fewer and fewer resources?

From a public health point of view, illegal tobacco products are of a lower quality. That also needs to be taken into consideration. A lot of illegal tobacco products are sold to young people. That is another problem, because 20% of Canadian youth between the ages of 12 and 19 smoke. In addition, if they are smoking illegal tobacco products, we do not know what they are actually smoking. It could be even worse for their health.

There is also the issue of lost tax revenue for the various levels of government. The federal government loses a total of \$2.1 billion in uncollected taxes annually. In Quebec, lost tax revenue in the tobacco industry recently hit \$125 million. Lost revenue is a serious issue.

As the official opposition critic for small business, I would like to talk about the impact that contraband has on small business owners. It is true, tax revenue suffers because taxes are not collected on the profits small businesses would make on tobacco sales. Revenue is also lost because of uncollected taxes. The criminals who sell illegal tobacco do not call up tax authorities to tell them that they will send in a cheque to cover the taxes on the products they sold.

However, business owners are the first victims. They are selling a legal product. There is also the issue of public health, but for now, it is legal for business owners to sell tobacco. It is one way to make money. It is often those who own smaller businesses—for example, family businesses that have very few or no employees—who need this. Much of their business may come from tobacco sales. When a region is suddenly saturated with illegal products, small business owners are the first victims.

• (2110)

In May 2010, the Canadian Convenience Stores Association raised a number of points. Contraband represents 40% of the tobacco market in Quebec and up to 50% in Ontario. Over the past three years, one convenience store a day has been forced out of business, and in most cases, lost revenues on the sale of legal tobacco products is what has caused these small businesses to fail.

One final testimony really struck me. Xavier Shi, who has a little smoke shop on Jean-Talon Street, said:

If we ask our customers, they tell us that they are buying them [cigarettes] elsewhere and that contraband cigarettes are much cheaper. They can even get them delivered to their door.

How is a small retailer on Jean-Talon Street supposed to compete with these kinds of illegal practices?

• (2115)

[English]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, the hon. member mentioned the linkages between organized crime and contraband tobacco. A number of speakers this evening have mentioned similar things. My colleague, the Parliamentary Secretary to the Minister of International Cooperation, mentioned the linkage between smoking and young people and contraband tobacco.

Government Orders

I wonder if the hon. member could tell us his views on whether there is a strong linkage between the introduction of young people to contraband tobacco products and, through the same organized crime entities, the introduction of those young people to the other forms of illicit drugs in which they also transact. Maybe he could talk about that for us.

[*Translation*]

Mr. François Lapointe: Mr. Speaker, it is highly likely that young people who get into trafficking in contraband cigarettes are later led to engage in worse activities by organized crime. I do not have much information on this and I am not a criminologist, but I think that is part of the risk.

However, I have a comment. Why reduce RCMP resources at a time when we all agree that contraband is part of a larger plan to catch the bigger fish? Catching the big crime bosses takes deep pockets, but it pays off in the end. Millions of dollars from criminal activity are recovered.

In terms of those views holding that smoking cigarettes leads to smoking crack, I have never read anything that was really convincing. However, with regard to criminal organizations, there are certainly questions that need to be asked. It is therefore essential to maintain and increase the RCMP's resources, not take them away.

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, as my colleague is the official opposition critic for small business, I would like to look to his expertise in this area.

In practical terms, what is the impact of contraband cigarettes on small villages where, in many cases, there is just one convenience store and grocery? Both my riding and the member's have villages like that. What is the practical consequence of contraband cigarettes for these businesses and the village economy?

Mr. François Lapointe: Mr. Speaker, as I noted earlier, there is a big coalition whose members are mainly associations of retail business representatives. The coalition does a great deal of work and speaks out against contraband.

As my colleague from Abitibi—Témiscamingue so rightly said, let us imagine a small merchant in a small community or a small village. Between 20% and 30% of his revenue is from the legal sale of legal tobacco until suddenly, he loses up to 40% of that business to illegal tobacco. That is nearly half of the 30% or 35% from sales of legal tobacco products wiped out within a few years. Earlier, people talked about numbers produced by the association of convenience store owners.

Consequently, I believe the assessment by the association of convenience store owners is entirely reasonable when they say one small merchant a day is going out of business, largely because of the problem of contraband tobacco.

Ms. Manon Perreault (Montcalm, NDP): Mr. Speaker, perhaps my colleague from the NDP will be able to explain something to me.

The Conservatives chose to go through the Senate in order to tackle a really serious problem. We know that tobacco smuggling is a scourge on both the economy and people's health.

Given everything that is going on with Mike Duffy, Pamela Wallin and Patrick Brazeau, we know that nothing is working within that institution. It is going through one of its worst crises at the moment.

So can someone explain to me why the Conservatives decided to have this bill go through the Senate?

• (2120)

Mr. François Lapointe: Mr. Speaker, indeed, there has been some poor judgment in the choice of a number of senators. Everyone knows that now.

This illustrates the current government's lack of judgment, but also the official opposition's good faith. This is the second time we are compromising our principles, which are clear. To us, people who are not elected should not be legislating. We also set aside our convictions for the bill on prize fights, which also originated in the Senate.

We are demonstrating incredible good faith for the well-being of the Canadian public.

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I am pleased to be able to participate in this debate about the terrible scourge of contraband tobacco.

In our ridings, people regularly approach us to support causes, and we frequently do just that. It sometimes amounts to moral support. Since coming here in 2004, although I have also worked for some federal members of Parliament since 1993, I have found that this moral support is just not enough. I always try to find a way to provide concrete assistance, to raise awareness about the problems that people in our ridings bring to our attention.

On the issue of contraband tobacco, I had the pleasure of meeting people from the Association des dépanneurs du Québec who were campaigning a few months ago about the scourge of contraband tobacco. Needless to say, they were representing people who sell cigarettes. As a non-smoker with a brother who smokes but who is trying to quit and a mother who has stopped smoking, I am well aware of the fact that everyone would probably like it better if it were impossible to sell cigarettes simply because everyone decided to stop smoking for health reasons.

I like to talk about my grandfather, a farmer by the name of André Bellavance. One day at the age of 94, in Causapsal, he told us that he had stopped smoking. We all found this very amusing because he had begun to smoke when he was 13, so we asked him why he had stopped smoking. Although he was a little hard of hearing, he eventually understood our question. He told us that it was for his own health and to set an example. We found it extraordinary that this proud man should all of a sudden decide that he would like to live a little longer, and in fact, although he is not yet 100 years old, he is getting close.

Getting back to the point, the association approached us because contraband tobacco was causing convenience store owners to lose a lot of money in Quebec, and no doubt just about everywhere in Canada. With a view to taking real action, I went and spent a few hours working in a convenience store with the owner to see what it was like and what people came to buy.

Government Orders

The issue, of course, was the price of cigarettes. People were complaining as much about that as about the price of gasoline. When people go to a convenience store, they do not often complain about the price of a newspaper or the price of a litre of milk. They complain about the price of gasoline and the price of cigarettes.

I am also fortunate to have my own regional community television program. I therefore invited experts to come and speak about the topic for 30 minutes and to use the small screen to raise awareness. Like all members of Parliament, I can send out householders, which I also use to inform the public about contraband tobacco. These are all concrete actions to inform people that we are very much aware of what is going on and that we can all do things to combat contraband tobacco.

That is not all, however. The government is also making efforts, as are all of the members of the opposition parties. In the case of Bill S-16, it has been decided to refer it to committee, and everyone is in full agreement, yet I can see once again that the Minister of Justice included minimum sentences in his bill.

That is how the minister proceeds. He continually tells us that he is doing it for the victims and to fight criminals. However, since he was elected to the House and became the Minister of Justice—in fact I believe he has always been the Minister of Justice under the Conservative government—he has never been able to prove that minimum sentences help victims and reduce the crime rate. He has never provided any evidence or statistics in this regard.

As for the victims, I certainly cannot see how a minimum sentence can assist them in any way. He included this in the bill, although there is one interesting aspect, and that is that finally, for once, a government has thought to include sanctions for contraband tobacco in the Criminal Code.

Previously, I believe that this was simply a matter for customs and excise. The police could nevertheless lay charges and people did end up in prison because of contraband tobacco. However, it would be more logical for the Criminal Code to include sanctions for contraband tobacco. That is the good news.

● (2125)

I hope that a number of improvements will be made in committee, including those advocated for some time now by the Bloc Québécois concerning the possibility of doing what we must do as legislators. As I was saying earlier, the idea is to eradicate contraband tobacco or at least combat it more forcefully.

For example, stricter police and administrative measures are needed to put a stop to this contraband. For example, the traffickers' vehicles should be seized because the black market thwarts the policy on high prices for tobacco. This option is not available to the police. People might well ask me what seizing the traffickers' vehicles might accomplish. The answer is that if every time a trafficker was caught with cases of cigarettes in the back of his vehicle, and the vehicle were seized and he had to buy another one, this would be a significant deterrent.

Increasing the amount required to obtain a federal tobacco manufacturing licence would be another example. At the moment, a licence to open a tobacco factory costs \$5,000. Just about anyone can come up with that much money to open a tobacco factory, yet

perfectly legal companies have recently closed their doors just about everywhere in Canada, laying off thousands of employees. This is unfortunate for the employees, but because fewer people are smoking and less harm is being caused to their health, it is good news.

For \$5000, these new plants can manufacture cigarettes that very often end up on the contraband market and can be very harmful. We therefore suggest that the cost of these licences be much higher—in the millions of dollars—because it would appear that making cigarettes is profitable. The idea is to charge a much higher price to at least discourage those who want to open cigarette factories to sell all or some of their product on the black market.

There could also be a ban on supplying raw materials and cigarette-making equipment to unlicensed manufacturers. The government could also revoke the licences of those who fail to obey the laws and introduce an effective system for labelling and tracking cigarette packages to allow much closer monitoring of tobacco shipments.

Why not try to persuade the American government? We have good relations with our neighbour. It could take action against illegal manufacturers on the American side of the border. We are somewhat at the mercy of these manufacturers, who need only cross a river in a boat to deliver illegal tobacco for the contraband market in Quebec and Canada.

I also raised another problem a little earlier, when the subject came up, because we had to deal with a time allocation motion for this bill. I mentioned to the Minister of Justice that the Conservative government's policies were inconsistent. On the one hand, the government has been reducing the number of customs officers and people responsible for catching contraband of all kinds, including cigarettes. On the other hand, it claims that it wants to introduce measures to combat contraband cigarettes. This is inconsistent.

We need to increase the number of people who monitor what crosses our borders, including contraband cigarettes.

While I agree that Bill S-16 should go to committee, I would like the government to take into account the arguments that I have just put forward so that, for once, we end up with a more complete bill, even though there is no such thing as a perfect bill.

I would like the government to show the people and those who complain to us that we voted in favour of a bill which, in our view, will reduce and perhaps one day even eliminate contraband cigarettes.

● (2130)

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, in my previous speech, I spoke about the position adopted by Quebec's National Assembly, which stated that it was crucially important to communicate with the U.S. and Ontario governments and with the aboriginal communities.

How does he think the federal government could adopt a similar approach in studying this bill to achieve co-operation between governments in order to come up with a better bill?

Mr. André Bellavance: Mr. Speaker, I appreciate my colleague's relevant question.

Government Orders

This government is not used to conducting consultations. Instead it is in the habit of determining what is good for both the public and the provinces. In Quebec—the member is a member from Quebec—we often suffer this kind of affront as the government applies its philosophy of “Ottawa knows best”.

I must say that, apart from the Bloc Québécois, the other parties also tend to forget to ensure that there is genuine consultation and co-operation in all matters pertaining to Quebec and the provinces.

The first thing to do, before even introducing this kind of bill, is to draft a comprehensive bill, as I said in the conclusion to my speech, one that has been prepared with and for the general public. Needs are not always the same everywhere.

In the case of contraband tobacco, however, the same principle applies from sea to sea. The government should therefore strive to engage in more co-operation and consultation.

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, I am going to raise an issue that members have not said much about, and that is public health.

Tobacco is dangerous. It is carcinogenic. Unfortunately, however, with cigarette trafficking, we have witnessed the emergence of adulterated, poor-quality tobacco.

My question is for my distinguished colleague, and it is relatively simple. Can he explain to us, from a public health standpoint, the essential and urgent need to come together to create a good act?

Mr. André Bellavance: Mr. Speaker, I would like to thank my colleague for his question.

He is absolutely right. The debate did not take very long, because there was a time allocation motion, but public health is an aspect that we really should be talking about.

As I said, we do not live in an ideal world, but probably all of us, except perhaps a few inveterate smokers, wish that cigarettes no longer existed. At one time, we were unaware of all the damage that cigarettes cause. However, that damage is well known today.

Despite of this, there are still people who smoke, and there are cigarettes on the market whose quality is even worse. In terms of the cigarettes that we buy from big companies, telling ourselves that they are higher quality, the fact remains that they are extremely harmful.

I worked with agricultural producers in the Lanaudière area who grew tobacco and we helped them make a transition into growing some other crop. They told us that there was Chinese tobacco in the contraband tobacco market. I do not want to be paranoid and say that everything that comes from China is unsafe but, it is true, that tobacco was really terrible and extremely harmful.

Like my colleague, I totally agree that we should do everything we can to get rid of this tobacco as soon as possible and get it off the market. Unfortunately, it is often young people who smoke and who have this in their hands and in their lungs.

• (2135)

[English]

The Speaker: Is the House ready for the question?

Some hon. members: Question.

The Speaker: The question is on the motion that this question be now put. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to)

The Speaker: The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Speaker: Accordingly the bill stands referred to the Standing Committee on Justice and Human Rights.

(Motion agreed to, bill read the second time and referred to a committee)

Mr. Dave MacKenzie: Mr. Speaker, I ask that you see the clock as at midnight.

The Speaker: Is it agreed?

Some hon. members: Agreed.

The Speaker: Pursuant to an order made on Wednesday, May 22, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 9:37 p.m.)

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