



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Thursday, May 7, 2015**

—

**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Thursday, May 7, 2015

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1000)

[*English*]

### COMMISSIONER OF OFFICIAL LANGUAGES

**The Speaker:** I have the honour, pursuant to section 66 of the Official Languages Act, to lay upon the table the annual report of the Commissioner of Official Languages covering the period from April 1, 2014, to March 31, 2015.

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### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to eight petitions.

\* \* \*

### INTERPARLIAMENTARY DELEGATIONS

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canada-China Legislative Association and the Canada-Japan Inter-Parliamentary Group respecting its participation in the 23rd annual meeting of the Asia Pacific Parliamentary Forum, APPE, in Quito, Ecuador, January 11 to 15, 2015.

That conference is coming to Vancouver next January.

\* \* \*

### ADDICTION RECOVERY WEEK ACT

**Mr. David Wilks (Kootenay—Columbia, CPC)** moved for leave to introduce Bill C-674, An Act to establish Addiction Recovery Week.

He said: Mr. Speaker, I am humbled and honoured to stand in this place today to introduce an act to establish addiction recovery week. This bill would recognize the week commencing on the fourth Saturday of September as addiction recovery week.

As a person in long-term recovery, I say we must remove the stigma that is attached to addiction recovery and celebrate those who have taken the long road back to prosperity and a healthy life. This bill would be a significant step forward in doing just that.

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

\* \* \*

• (1005)

### PETITIONS

#### IMPAIRED DRIVING

**Mr. Blaine Calkins (Wetaskiwin, CPC):** Mr. Speaker, I have the honour to rise in the House today to present several petitions signed by hundreds of Albertans who are calling upon the government to implement new mandatory minimum sentences for those convicted of impaired driving. The petitioners also want the Criminal Code of Canada to be changed to redefine the offence of impaired driving causing death, as vehicular homicide.

[*Translation*]

#### TAXATION

**Mr. Mathieu Ravnat (Pontiac, NDP):** Mr. Speaker, I have the honour to present a petition.

Hundreds of Canadians are calling on the government to reduce taxes on feminine hygiene products because many impoverished women cannot afford them. That would be a positive thing.

[*English*]

#### IMPAIRED DRIVING

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, I am presenting a petition today that sadly informs this House that Karmen Meyers and Lee Meyers, a brother and sister, were tragically killed 10 years apart by two separate drunk drivers who chose to drive while impaired. The Meyers family was devastated.

*Routine Proceedings*

Families for Justice is a group of Canadians who have had a loved one killed by an impaired driver. They believe that Canada's impaired-driving laws are much too lenient. They want the crime to be called what it is: vehicular homicide. It is the number-one cause of criminal death in Canada. More than 1,200 Canadians are killed every year by drunk drivers. Families for Justice is calling for mandatory sentencing for vehicular homicide and for this Parliament to support Bill C-652, Kassandra's law.

## TAXATION

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, I have a petition that is calling upon the Government of Canada to cease taxation on menstrual hygiene products. The paying of this tax contributes to the financial burden on Canadian households, particularly of women who are struggling financially. It is an essential product and we and the undersigned want the Government of Canada to extend a 0% GST rate to these important products.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I too rise with petitions from people from across the country asking that there be a 0% GST rate on menstrual hygiene products.

## AIDS

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I rise to present two petitions.

The first is from residents primarily in my own riding but also from the Vancouver area. They are concerned about HIV-AIDS treatments being made available to everyone who needs them. We might have thought this was dealt with, but the petitioners point to a particular highly active antiretroviral drug therapy, a strategy known as “treatment as prevention”. The petitioners urge the House of Commons to recognize that this is an important aspect and to put forward a national AIDS strategy designed around treatment as prevention.

## THE ENVIRONMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the second petition is related to the ongoing issue of marine protected areas: how we get them formed and how we take care of them once we create them. The petitioners call on the federal Minister of Fisheries and Oceans to work with all relevant government branches to simplify communications and responsibilities.

[Translation]

## TAXATION

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, today I also have the honour to present a petition against the sales tax on feminine hygiene products. Hundreds of people all across Canada are calling for this. We hope the government is listening.

[English]

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I am very pleased to join many of my colleagues from the NDP today as we rise to present our petitions from men and women across the country who have participated in a campaign to draw attention to the House, through petitions, to ceasing the taxation of menstrual hygiene products. As has been pointed out, these are essential

products to Canadians and there is a disproportionate financial burden.

New Democrats are very happy to present these petitions today from right across the country. The signators of the petition I have are from Toronto. We think it is a very important campaign and hope this petition will be visible and accepted and that the GST will be zero for menstrual hygiene products.

**The Speaker:** I see many members rising, and there are only 10 minutes left for presenting petitions, so I will ask members to be mindful of their colleagues and provide very brief summaries.

The hon. member for Newton—North Delta.

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, I also join my colleagues in presenting a petition calling for a 0% GST rate on menstrual hygiene products. This is a sexist tax and heavily burdens women.

●(1010)

[Translation]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I wish to add my voice to those of my colleagues and present a petition to eliminate the sales tax on feminine hygiene products.

[English]

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, I too have a petition from men and women across Canada asking that the government remove the GST on menstrual hygiene products.

[Translation]

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, I would also like to present a petition signed by people who believe that feminine hygiene products are necessities and therefore should not be taxed.

[English]

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, I too rise to present a petition in support of eliminating the GST on menstrual hygiene products.

[Translation]

**Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP):** Mr. Speaker, I join with my colleagues and the women and men from all over the country who have mobilized and are calling on the government to remove the federal sales tax on feminine hygiene products. The status quo is really unfair to women. It is a tax that targets only women, and we want it removed.

**Mr. Réjean Genest (Shefford, NDP):** Mr. Speaker, I join with my colleagues in calling on the government to stop taxing feminine hygiene products. This tax is a heavy burden for some households.

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, I am also calling on the government to remove the GST from feminine hygiene products because we did not choose to have a menstrual cycle every month, so it is an unfair tax. These products are basic necessities.

*Routine Proceedings*

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I rise alongside my colleagues to present a petition signed by many Canadian men and women who want the government to eliminate the GST on menstrual hygiene products.

[*English*]

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, I am also tabling a petition that asks the Government of Canada to cease taxation on menstrual hygiene products, because women face a disproportionate financial burden because of this tax.

I would like to congratulate everyone who is participating in this mobilization, and I hope the government will listen to them.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, I too present a petition on behalf of Canadians seeking to cease the taxation of menstrual hygiene products. This is a disproportionate financial burden on women, and the petitioners feel there should be zero GST on menstrual hygiene products.

[*Translation*]

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, this morning I join my colleagues in presenting a petition signed by many Canadians calling on the government to stop taxing feminine hygiene products. The petitioners believe that this is an extra burden on women.

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I too am presenting a petition signed by hundreds of Canadian men and women to eliminate the GST on menstrual hygiene products, a tax that places an unfair burden on women.

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, I would like to thank the people of Edmonton who signed my petition to eliminate the GST on feminine hygiene products. It constitutes gender-based discrimination.

[*English*]

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, I have two petitions to present.

The first calls on the Government of Canada to extend a 0% GST rate on menstrual hygiene products.

## CHILD CARE

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, my second petition calls upon the Government of Canada to implement the NDP's plan for affordable \$15-a-day child care.

[*Translation*]

## HEALTH

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, on another topic, I have here a petition signed by more than 300 people from Quebec and across the country. They say that 3% of the population immediately experiences undesirable effects from wireless radiation. The petitioners are asking the Government of Canada to immediately implement an official process enabling Canadians to report undesirable effects of exposure to wireless radiation.

## TAXATION

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I too join my colleagues in presenting a petition with dozens of names.

These Canadians are asking that feminine hygiene products be exempt from the GST. The tax is discriminatory and creates financial stress for many families.

**Ms. Éleine Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, I join my colleagues in presenting a petition from citizens who want the government to eliminate the federal tax on feminine hygiene products.

## AGRICULTURE

**Ms. Éleine Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, I am presenting another petition on behalf of over 360 people from my riding, Portneuf—Jacques-Cartier, who are calling on the government to respect the rights of small family farms to store, trade and use seed.

## TAXATION

**Mr. José Nunez-Melo (Laval, NDP):** Mr. Speaker, I join my colleagues in presenting a petition on eliminating the GST from feminine hygiene products.

• (1015)

**Ms. Francine Raynault (Joliette, NDP):** Mr. Speaker, I join my colleagues in calling on the government to eliminate the GST from feminine hygiene products. I have three daughters and one of them has four daughters. Imagine how much that costs in GST every month.

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, like my colleagues, I am presenting a petition calling on the government to eliminate the GST from feminine hygiene products.

[*English*]

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I am pleased to present a petition signed by hundreds of southern Ontario residents who add their voices to the campaign involving millions of Canadian women and their families.

The petitioners' message to the Government of Canada is very simple: take the GST off menstrual hygiene products. That is the message. Let us have the government do it.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, Questions Nos. 1121 and 1125 will be answered today.

*Routine Proceedings*

[Text]

Question No. 1121—**Mr. Matthew Kellway:**

Mr. Kellway (Beaches—East York) — With regard to the Public Works and Government Services Canada (PWGSC) ethical procurement of apparel: (a) what are the details of information collected by PWGSC from suppliers and industry associations on their current practices concerning ethical manufacturers and sources of supply in the Request for Information on Ethical Sourcing of Apparel (E60PR-14001/A), published October 30, 2014, broken down by (i) company name, (ii) company's answers provided for each question; (b) what information has the Federal Task Force (FTF), which was established by PWGSC, to undertake research on the ethical sourcing of apparel in other jurisdictions as well as the practices of apparel suppliers in Canada with offshore production collected since the FTF was established; (c) which individuals make up the FTF, including (i) their qualifications, (ii) the decision-making process behind each of their appointments; (d) what companies or stakeholders has the FTF consulted; (e) what information has the FTF shared with the public on current sourcing policies; (f) according to the FTF, what constitutes an ethical supplier and what criteria or standards are used to evaluate whether a supplier can be considered ethical; (g) what options has the FTF put forward to buy clothing from ethical suppliers and enhance PWGSC's procurement practices with regard to ethical sourcing of apparel; (h) what companies does the Department plan to consult regarding the options outlined in (g); (i) how does PWGSC plan to measure the effectiveness of their procurement practices with regard to ethical sourcing of apparel going forward; and (j) what is the estimated cost of establishing the FTF?

**Hon. Diane Finley (Minister of Public Works and Government Services, CPC):** Mr. Speaker, with regard to (a) (i) (ii), in processing parliamentary returns, the government applies the principles set out in the Access to Information Act. As a result, this information cannot be released on the grounds that it constitutes third party information.

With regard to (b), the mandate of the task force, which is an ad hoc working group, is to consult with suppliers and industry associations about their practices, and analyze ethical procurement approaches of other government organizations as well as prevailing international standards. The working group has collected information in the following areas: metrics on PWGSC apparel contracts; international conventions, principles, standards and guidelines related to corporate social responsibility and ethical sourcing; related Government of Canada initiatives; practices of other jurisdictions within Canada and abroad; and supplier practices and experiences in relation to corporate social responsibility and ethical sourcing. It is important to note that currently, almost 90% of garments purchased by PWGSC are for the Royal Canadian Mounted Police and Department of National Defence, and 98% of those garments are made in Canada.

With regard to (c) (i) (ii), the working group is composed of PWGSC procurement and procurement policy officials as well as a consultant contracted to coordinate and help conduct research. The group is led by the senior director, consumer and commercial products directorate and the senior director from the acquisition program's policy directorate. Members of the group have experience and expertise in the areas of apparel procurement and policy development.

With regard to (d), the working group collected information from various apparel companies, industry representatives, non-governmental organizations and other levels of government.

With regard to (e), effective April 1, 2014, an origin of work provision clause, country only, is included in all solicitations for apparel. In August 2014, PWGSC began posting the manufacturer's

country of origin on its Buy and Sell website. On November 29, 2013, PWGSC published on Buyandsell.gc.ca the national goods and services procurement strategy for clothing and textiles: <https://buyandsell.gc.ca/procurement-data/tender-notice/PW-13-00541965>. All PWGSC procurement policies are available online through the PWGSC Internet site: <http://www.tpsgc-pwgsc.gc.ca/app-acq/dpa-ppd-eng.html>.

With regard to (f) to (i), the findings of the working group are currently being reviewed. PWGSC will consult with industry stakeholders on any proposed procurement practice revisions.

With regard to (j), the working group is funded from within existing reference levels and largely using resources simultaneously working on other related files. As a result, the precise costs associated only with the group's activities cannot be estimated.

Question No. 1125—**Mr. Sean Casey:**

With regard to the application of the Access to Information Act and the Open Government portal: (a) what are the privacy, confidentiality, and security standards which must be met before government data can be released in an open format; (b) what are the basic quality checks which must be performed before government data can be released in an open format; (c) what are the release criteria and global standards for open data which must be met before government data can be released in an open format; (d) what are the dates, titles, and file numbers of all directives, memoranda, regulations, instructions, or any other documents in which the conditions in (a) through (c) are set forth or promulgated; (e) what are the titles or descriptions of data sets which have been either refused for release under the Access to Information Act, or rejected for proactive disclosure through the Open Government portal, at any time since January 1, 2011, for failure to satisfy any of the conditions described in (a) through (c), specifying in each instance the reason for the refusal or rejection, as the case may be; and (f) which of the conditions described in (a) through (c) have been used, at any time since January 1, 2011, by way of justifying the refusal, in response to a request under the Access to Information Act, to release data sets or other information in electronic form, specifying in each instance (i) the body to which the request was made, (ii) the reason for the refusal, (iii) the file number of the request, (iv) the subject matter of the request?

**Hon. Tony Clement (President of the Treasury Board, CPC):** Mr. Speaker, data sets released in open format must adhere to the Privacy Act, the Treasury Board policy on privacy protection, the Treasury Board directive on privacy practices, the Treasury Board standard on security organization and administration, and the Treasury Board directive on open government.

The links to the above-noted documents are found as follows: Privacy Act: <http://laws-lois.justice.gc.ca/eng/acts/p-21/>; policy on privacy protection: [www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12510](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12510); directive on privacy practices: [www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=18309](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=18309); standard on security organization and administration: [www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12333](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12333); and directive on open government: [www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=28108](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=28108).

*Government Orders*

When federal departments proactively release data sets, a review for compliance with the Access to Information Act is not required unless a formal access to information request is made. However, before posting, data sets must be verified against a defined set of legal, security and policy requirements to ensure they do not contain sensitive information, such as identifiable personal information.

\* \* \*

[English]

**QUESTIONS PASSED AS ORDERS FOR RETURNS**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, if Question No. 1120 could be made an order for return, this return would be tabled immediately.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 1120—**Mr. Matthew Kellway:**

With regard to the New Building Canada Fund (NBCF), between 2013-2014 and the current fiscal year: (a) broken down by date of application, individual project, province, and municipality, what is the total number of applications submitted under each of the following components of the NBCF, (i) the National Infrastructure Component, (ii) the Provincial Territorial Infrastructure Component—National and Regional Projects (PTIC-NRP), (iii) the Provincial Territorial Infrastructure Component—Small Communities Fund (PTIC-SCF); (b) broken down by date of application, individual project, province, and municipality, what are all the approved projects and the total amount of funding allocated under each component identified in (a); (c) broken down by date of application, individual project, province, and municipality, what is the total amount of money requested under each component identified in (a); (d) broken down by date of application, individual project, province, and municipality, what is the total number of applications submitted for (i) public transit infrastructure projects, (ii) highway, bridge, and major road infrastructure projects, (iii) inter-city and regional rail infrastructure projects, (iv) disaster mitigation infrastructure projects, (v) port, maritime shipping, and marine infrastructure projects, (vi) airport, helipad, and aviation infrastructure projects, (vii) information technology infrastructure projects, (viii) wastewater management and sewage infrastructure projects; (e) which provinces have submitted applications to Infrastructure Canada under (i) PTIC-NRP, (ii) PTIC-SCF; (f) which provinces have yet to open the process for municipal applications under PTIC-NRP; and (g) will delays in processing applications under PTIC-NRP cause any municipalities to miss the 2015 construction season and, if so, which municipalities will be affected?

(Return tabled)

[English]

**Mr. Tom Lukiwski:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**GOVERNMENT ORDERS**

[English]

**WAYS AND MEANS**

MOTION NO. 22

**Hon. Peter Van Loan (for the Minister of Finance)** moved that a ways and means motion to implement certain provisions of the

budget tabled in Parliament on April 21, 2015 and other measures be concurred in.

**The Speaker:** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

**The Speaker:** Call in the members.

• (1055)

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

(Division No. 399)

**YEAS**

Members

- |                                    |   |
|------------------------------------|---|
| Ablonczy                           | Adler                                   |
| Aglukkaq                           | Albas                                   |
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| Falk                               | Fantino                                 |
| Fast                               | Findlay (Delta—Richmond East)           |
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| Gallant                            | Gill                                    |
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| Goodyear                           | Gosal                                   |
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| Hayes                              | Hiebert                                 |
| Hillyer                            | Holder                                  |
| James                              | Kamp (Pitt Meadows—Maple Ridge—Mission) |
| Keddy (South Shore—St. Margaret's) | Kenney (Calgary Southeast)              |
| Kent                               | Kerr                                    |
| Komarnicki                         | Kramp (Prince Edward—Hastings)          |
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| Lizon                              | Lobb                                    |
| Lukiwski                           | Lunney                                  |
| MacKay (Central Nova)              | MacKenzie                               |
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| McColeman                          | McLeod                                  |
| Menegakis                          | Miller                                  |

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**NAYS**

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**PAIRED**

Nil

**The Speaker:** I declare the motion carried.

**Hon. Kevin Sorenson (for the Minister of Finance)** moved that Bill C-59, an act to implement certain provisions of the budget tabled in Parliament on April 21, 2015 and other measures, be now read a first time and be printed.

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

\* \* \*

**PORT STATE MEASURES AGREEMENT  
IMPLEMENTATION ACT**

The House proceeded to the consideration of Bill S-3, an act to amend the Coastal Fisheries Protection Act, as reported (with amendments) from the committee.

**The Speaker:** There being no motions at report stage on this bill, the House will now proceed, without debate, to the putting of the question on the motion to concur in the bill at report stage.

**Hon. Rob Moore (for the Minister of Fisheries and Oceans)** moved that the bill be concurred in.

**The Speaker:** Is it the pleasure of the House to adopt the motion?**Some hon. members:** Agreed.**The Speaker:** I declare the motion carried.

(Motion agreed to)

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

**Some hon. members:** Agreed.

**Hon. Rob Moore (for the Minister of Fisheries and Oceans)** moved that the bill be read the third time and passed.

**Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC):** Mr. Speaker, I appreciate the opportunity to stand in this House in support of Bill S-3, an act to amend the Coastal Fisheries Protection Act.

Bill S-3 complements our unwavering commitment to sustainable fisheries by ensuring economic opportunities for our fishermen. Throughout our country's rich history, fisheries have always been a cornerstone. In fact, some Canadian communities have been sustained by commercial fisheries for close to 500 years. Our commitment to sustainable responsible fishing both at home and in support of global efforts will ensure that this tradition continues for centuries to come.

The fishing industry is a critical economic driver in Canada's coastal and inland communities, providing jobs and other opportunities for generations of Canadians. More than 80,000 Canadians earn their living directly from the sea, on inland waters, in processing plants, or in aquaculture operations.



*Government Orders*

The health of this industry is dependent on effective and responsible management of our fisheries. By ensuring sustainable fisheries, our government is investing in the economic prosperity of current and future generations.

To support the fisheries, our government conducts extensive research to make informed fisheries management decisions and activities. For example, our fisheries science and the application of the precautionary approach assist in the setting of catch limits for Canada's fisheries.

We also ensure that Canadians can have their say. We work as closely as possible with industry and other stakeholders to make sure our strategies and plans are practical and effective to ensure both sustainable fisheries and the maximum economic opportunities for harvesters.

We announced as part of economic action plan 2015, funding that will support fisheries, foster trade, protect Canada's environment and create jobs in small communities. As an example of an investment that will support fisheries research, our government has committed \$2 million to the Pacific Salmon Foundation to support the Salish Sea marine survival project. As a British Columbian, I was very pleased to see that. Also, our government has increased the lifetime capital gains exemption to \$1 million for owners of fishing businesses, which will keep more money in fishermen's pockets and support the creation of jobs in rural and coastal communities across Canada.

In addition to working with industry and conducting scientific research to ensure sustainable fisheries, we also have a strong enforcement system in place to protect our fisheries from those who do not want to abide by the rules, and unfortunately, there are some. That being said, we know that fish do not stop swimming at the 200 nautical mile limit of the exclusive economic zone, which is why Canada must remain engaged with the international community to ensure global fisheries are managed sustainably.

We work with our international partners through regional fisheries management organizations, often called RFMOs, to ensure a consistent, effective approach to the management of straddling and highly migratory fish stocks that traverse Canadian waters and upon which our harvesters rely. However, illegal, unreported and unregulated fishing, often called IUU fishing, remains a worldwide problem which affects the prosperity of our fishing communities.

This brings me to the amendments before us in Bill S-3 and why it is important that Canada amend the Coastal Fisheries Protection Act. The amendments support two objectives: first, strengthening an already robust regime for Canada's ports in order to further close the net on illegal fishing operators; and second, by doing that, enabling Canada to ratify and implement the international port state measures agreement.

Fish are a major commodity and a source of economic opportunity and trade throughout the world. According to the United Nations Food and Agriculture Organization, of the approximately 158 million tonnes of fish and other aquatic animals that are wild caught and grown in aquaculture operations each year, 37% are traded in international markets. This is a large share of the total fish production that is going into international trade, especially when

compared with 21% of wheat being traded internationally, or only 10% of meat products. The value of the international trade in fish products is almost \$130 billion U.S. annually.

● (1100)

As a major exporter of fisheries products, Canada is inevitably affected by international trends, policies, and the enforcement activities of other nations. Canadians are not immune from the economic impact of illegal fishing on international trade.

Around 85% of Canadian fish and seafood products are exported, to the tune of over \$4 billion annually in export value. Global illegal fishing activities undermine the livelihoods of legitimate fish harvesters, both in Canada and abroad, by distorting prices and the profits that legitimate harvesters receive. Our industry has to compete in a global market, where illegal fishing activities manipulate international pricing, so we must stand up for our hard-working fish harvesters by supporting the international effort to end illegal fishing.

Canada also imports fish and seafood from around the world, and as a responsible fishing nation, we want to ensure that the fish on our plates comes from legal and sustainable sources, those that respect the environment from which the fish are harvested and that also respect the rights of the crew on board these vessels.

Preventing illegally taken fish and seafood products from entering the market has been a priority for Canadians and is also a priority for Canada's key trading partners, such as the European Union and the United States. Making these changes would ensure that Canada is on the same page as our key partners in this endeavour.

If enforcement on the high seas is lacking in some areas, then strong port state measures ensure that nations can take action in their ports to ensure that illegally harvested fish are not traded. If there is no trade then there is no profit for the illegal fishing operators.

The port state measures agreement creates a global standard for what actions should be taken in ports to combat illegal fishing. This new international treaty aims to prevent, deter, and eliminate illegal fishing through the implementation of effective and globally consistent measures. That is a very important point.

In 2009, Canada and other countries approved the port state measures agreement that had been negotiated at the Food and Agriculture Organization of the United Nations. The goal of this treaty is to make it extremely difficult, and ideally impossible, for a fishing vessel to land and profit from any illegal catch. Canada signed this agreement in November 2010 to signal our commitment to the importance of taking strong action in ports to prevent illegal fishing. Passing Bill S-3 is the next step toward ratifying the port state measures agreement.

Eleven countries have already ratified or otherwise become party to the treaty, and another 16, including Canada, have indicated that they intend to become parties as well. For example, the United States is in the process of passing ratification legislation, and it is expected that other countries will soon follow suit. The agreement needs 25 parties for it to come into force.

*Government Orders*

I am pleased to say that the world has seen the results of strong international enforcement efforts. Recently, a fishing vessel called *Thunder* was not able to enter nearby ports to offload its catch. It had been identified as possibly fishing illegally in the Southern Ocean off Antarctica, and countries in West Africa, a long way away, agreed to take action once it tried to enter their ports. Facing few alternatives, the vessel was seemingly abandoned by the crew.

It is important to note that Canada already has a robust system in place to manage foreign fishing vessels. The Coastal Fisheries Protection Act and its regulations contain a range of prohibitions and controls in relation to foreign fishing vessels entering Canadian fishing waters and ports. However, in order to ratify the port state measures agreement, Bill S-3 proposes some amendments to the Coastal Fisheries Protection Act to further strengthen these important controls.

● (1105)

There are three major groups of amendments to the Coastal Fisheries Protection Act proposed in Bill S-3. First, the amendments would ensure that Canada has clear authorities in relation to inspecting, searching and seizing, and other enforcement activities when a foreign vessel is directed to enter a Canadian port by its flag state for enforcement purposes.

The port state measures agreement normally requires that fishing vessels engaged in or supporting illegal fishing be prevented from entering a port, as in the case of the *Thunder*, for example. However, there are occasions when a flag state might need help with enforcement. As a strong and responsible fishing nation, we do not want to encourage moving the problem to other jurisdictions. However, our current rules under the current Coastal Fisheries Protection Act require a ship to voluntarily apply for a licence to enter Canadian waters. In the case of a ship being directed to port by a flag state for enforcement purposes, it is highly unlikely that it would wish to apply voluntarily for a licence. The bill before us today would resolve this issue by allowing a vessel into port for enforcement purposes at the request of the flag state.

Second, fisheries enforcement relies on sharing information with other appropriate legal authorities. Bill S-3 proposes amendments to the Coastal Fisheries Protection Act that would clarify the powers of the Minister of Fisheries and Oceans to share enforcement information regarding illegal fishing vessels with other federal agencies, with other countries, and with international organizations. This information-sharing would allow countries to recognize offenders and take action to protect their fisheries and marketplaces.

Third, the amendments propose common-sense prohibitions against imports of illegal, unregulated, and unreported fish and expanded powers for enforcement officers. As enforcement for fishing vessels increases, illegal operators might want to transport their harvests by means other than ships, for example. In this regard, the amendments would broaden enforcement powers for fisheries officers beyond fishing vessels to areas where illegally harvested fish could be stored, such as in container ships or vehicles.

Finally, there are several amendments to the Coastal Fisheries Protection Act to align domestic legislation with the international agreement, namely in relation to definitions. Furthermore, during the

study of the bill in committee, additional technical amendments to Bill S-3 were proposed to further strengthen it.

The first new amendment that was introduced would enable Canada to make regulations that could specify documentation requirements for imports of fish and seafood products from fisheries management organizations to which Canada is not a party. These amendments would protect the Canadian marketplace from illegally harvested seafood in parts of the world where Canada does not fish but from which it imports. If a regional fisheries management organization in another corner of the world implemented new certification measures for fishery imports, Canada would also be able to require this documentation. This change would further strengthen Canada's import controls and would support its international partners.

The second committee amendment is a technical clarification of the amendments to ensure that seafood that has been seized would not be required to be returned to the offender upon conviction.

It is clear that countries have to co-operate to manage fisheries and oceans resources. Regional fisheries management organizations have been established to meet this challenge. These organizations present a realistic means of governing fish stocks that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas.

Regional fisheries management organizations apply global standards to the conservation and management of fish stocks. Canada is active in several regional fisheries management organizations and constantly promotes science-based decision-making and the precautionary approach.

As I have stated, the port state measures agreement has introduced new global standards for the fight against illegal fishing. Regional fisheries management organizations are aligning their port state measures with the agreement as part of their overall fisheries management. In addition, some of these organizations are now developing trade tracking systems, such as mandatory catch documents for key species like tuna.

● (1110)

Canada can continue to play a leadership role in these organizations by ensuring that our domestic port state measures set an example for other responsible fishing nations worldwide.

Canadian communities have a large stake in our fisheries and in the health of our fish and seafood exports. Strong port state measures are one tool in the fight against illegal fishing, but we must and will remain vigilant on all fronts.

*Government Orders*

Canada is recognized as a global expert in the areas of intelligence-led enforcement and the use of advanced techniques, including forensic analysis, and Canada is committed to working with other countries to share our technical expertise to build global capacity to fight illegal fishing. When we work to combat illegal fishing that takes place elsewhere in the world, it has far-reaching, positive effects here in Canada in the long term.

Our government is committed to protecting Canadians' interests at home and on the world stage. We need to ensure that the responsible harvesters who play by the rules and compete in the global marketplace are on a level playing field.

The bill, along with the additional amendments presented in the committee report on the Coastal Fisheries Protection Act that are before us, will strengthen our ability to protect fishermen's interests. The bill ensures that we have a consistent framework in place to work in collaboration with other responsible fishing nations to fight illegal fishing.

I am proud to be part of a government that is taking action against this global problem and that stands up for fishermen here at home.

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I listened to my colleague with interest. He talked about the government's commitment to protecting Canada at home and on the world stage in terms of our fishery and strengthening our fishery.

I want to ask the member then, why the government has gutted our Fisheries Act, which should normally be handled through a committee and looked at separately, and has done this through an omnibus budget bill. I am very concerned about how that was done and how the government went after a specific section of the Fisheries Act. The government has also cut resources to DFO, especially for habitat and science.

Why has the government not implemented the 75 recommendations from the Cohen inquiry, on which the government spent nearly \$30 million? I remember this inquiry well, because when I was first running, it was a huge issue in my riding and on the west coast. We had just had a collapse of the sockeye salmon. That was almost six years ago, and we have had no action from the government on the 75 recommendations. I would like to hear from the parliamentary secretary on that.

● (1115)

**Mr. Randy Kamp:** Mr. Speaker, it will not surprise the member to know that I disagree with the premise of all of those questions.

With respect to the Fisheries Act, we put in place common-sense provisions to focus on the fish and the habitat that supports them. In fact, as we have introduced these new changes and have developed the policies and structure around those changes, I think it is going very well. I encourage him to speak to some people who are working on the ground.

In fact, in our committee, even at this very moment, we are hearing from people who are engaged with the Fisheries Act in real life situations. They are involved in stewardship and in using their voluntary activities in co-operation with the federal government to improve fisheries habitat. We asked them this question. Although they admit that it is a work in progress, I think it is going in the right direction.

With respect to the Cohen commission, of course, it was back at the beginning of my career here, when I first moved a motion to put in place a judicial inquiry. In fact, I think if the hon. member looks carefully, he will see that the minister and our department have already begun to implement the changes that were recommended by Cohen in our day-to-day activities.

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, my hon. colleague in his statement mentioned that this was before committee. It was brought to my attention that, during committee, there was a lack of information on the amount of possible illegal fishing that is happening within and without the 200-mile limit.

Therefore, if it was before committee that there was no information, that is very concerning because of all the cuts to offshore surveillance. How are the Conservatives going to back up the bill if there are not more resources put in to gathering up the information needed to implement the bill or make sure it has any teeth without that information being gathered?

**Mr. Randy Kamp:** Mr. Speaker, I assume he is referring to activities on the east coast. In fact, we are still a very important partner in NAFO and we make a very large commitment to the enforcement activities off the east coast. Although there was streamlining there because we needed one less vessel, we are still engaged in still very effective enforcement activities.

If he looks at the results he will see that over the years the number of serious infractions has been considerably reduced as we have been involved in those activities. We have no concerns about the ability to enforce the changes that are proposed in the bill.

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, this is a bill that is worthy of support, certainly, but there are some questions that were raised at committee.

I want to raise one point that he raised during his speech, that currently ships need to voluntarily request a licence to be able to come to Canadian port. With the bill, we could react to a flag state making that same request of a ship that is possibly carrying illegally fished product.

I would like to ask the parliamentary secretary how often a flag state actually asks Canada to inspect one of its ships? It strikes me from the reports that were brought to committee that this never happens, or if it does it is extremely infrequent. What would the bill actually do regarding bringing ships to our ports for inspections?

● (1120)

**Mr. Randy Kamp:** Mr. Speaker, technically, what the bill does is provide authorization for the minister to allow these ships into port, even if they have not voluntarily applied. If the flag state hears from whatever sources, international organizations for example, or perhaps an RFMO, that a particular vessel that flies its flag is engaged in illegal activity and that state wants the vessel into port, with the proposed legislation, even without application from the vessel owner, the ship could be directed into port.

*Government Orders*

We hope, of course, that there is no illegal activity. As it becomes less profitable over the years, as there is more of collaborative approach to solving the problem, as the port state measures agreement is intended to do, we hope there is no illegal activity. However, in the, I hope, rare cases where a vessel is identified this would allow that vessel to come into port and be involved in enforcement activities here in Canada.

[*Translation*]

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, Canadians trust the leader of the NDP to manage the economy while protecting the environment. Illegal, unreported and unregulated fishing hurts Canada's economy and fishery.

Can the parliamentary secretary explain why the government introduced this bill in the Senate instead of in the House?

[*English*]

**Mr. Randy Kamp:** Mr. Speaker, I know they have some aversion to the Senate over there, but it is part of the Parliament of Canada and bills are introduced in both places and have to be considered in both places, wherever they are introduced.

In fact, Bill S-3 was originally introduced as Bill S-13 and made it most of the way through the process before having to be reintroduced as Bill S-3. We are pleased by it, and we are pleased for the support of the NDP on the bill as well.

[*Translation*]

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, having been Quebec's environment minister for years, the leader of the NDP understands the significance of the relationship between sound environmental protections and a flourishing fishery.

That is why I am asking my Conservative colleague the following question: what is the Conservative government doing to stop illegal, unregulated and unreported fishing? Even though this bill is a step in the right direction, it will not completely stop unregulated and unreported fishing.

[*English*]

**Mr. Randy Kamp:** Mr. Speaker, I suppose it is difficult to argue with that point. It is difficult to stop illegal, unregulated and unauthorized fishing. The only hope of stopping it is to have a global approach to it, and that is the approach that Canada is taking.

It is a relatively small problem within the Canadian jurisdiction, but it is a large problem around the world. If nations around the world can make it difficult or impossible for illegal operators to land their fish and sell it, then I think everyone will see that we are going to make some very serious progress on this.

[*Translation*]

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, today I am pleased to rise to comment on Bill S-3. As the parliamentary secretary mentioned, this is the act to amend the Coastal Fisheries Protection Act, also known as the port state measures agreement implementation act.

The title does not really explain what the bill does. It is not really about protecting the coastal fisheries, but rather controlling illegal fishing as well as unregulated, illegal and unreported fishing. That is

a good thing. The bill goes in the right direction and it deserves our support. It is about time. As the parliamentary secretary said, certain aspects of the bill were already brought forward by the United Nations several years ago. Now with Bill S-3, we can ratify the UN agreement. That makes me very happy, and I am very grateful to the government, which rarely acknowledges the United Nations and its agreements. I am very pleased that today the government is prepared to support an international agreement. It seems to me that the Conservative government is uncomfortable with international agreements, and it is about time that it took them seriously.

Before I continue with the rest of my speech, I want to point out something that the parliamentary secretary said about the ships entering our ports. As he clearly indicated, in the past and even still today, until this bill is passed, ships that come into port undergo inspections on a voluntary basis. It is true that, with this bill, the minister will have the discretionary power to authorize an inspection. However, once again, he can do so only if the state that issued the vessel its licence gives its approval and requests an inspection. It is not just a matter of ministerial discretion. The foreign country must first authorize the inspection. I would like to come back to the testimony we heard when this bill was sent to committee. It is extremely rare for a country to ask Canada to inspect a vessel because of the possibility of illegal fishing.

I do not see anything in this bill that will really improve the situation. Other members have mentioned it and it is true that illegal fishing in Canada is mostly under control. It is mainly a problem in the Canadian areas outside the 200 mile limit. I am thinking, for example, of the Grand Banks off the eastern coast of Newfoundland, which are outside the international limit of 200 miles. Canada does not really have surveillance powers and cannot prevent ships from engaging in illegal fishing there.

Even though Canada has had a moratorium on cod fishing since the early 1990s, illegal cod fishing continues outside the 200 mile limit. I do not see anything in this bill that would give us the tools we need to better control the situation and ensure that this fishery is managed properly. The parliamentary secretary was saying that the bill would help achieve a sustainable fishery. It will support over 80,000 jobs in Canada that depend on the fishery, but once again, it will not help reduce illegal fishing in Canada's offshore waters.

I would have liked to see a much better international agreement than what we have in Bill S-3, since illegal fishing will continue on the Grand Banks even if this bill passes. We missed a golden opportunity here. However, once again, I will say that this is certainly a step in the right direction.

*Government Orders*

I would like to point out a few facts. A 2008 study commissioned by the United Kingdom estimated that the global economic loss due to illegal fishing is over \$23 billion per year, representing 11% to 19% of total global reported legal catch.

• (1125)

This is obviously something that we need to get under control. A few minutes ago my colleague mentioned that illegal fishing has an effect on prices. This is true. The facts show that illegal fishing drives down the prices of fish products. Passing Bill S-3 will finally help bring about better control of the prices on the international market. That is certainly a good thing. However, one of the big problems with this bill is that 25 states will have to ratify it before it becomes binding. Just 11 states have ratified it so far.

I have not heard anyone talk about any plan the government might have to ensure that enough other countries support the agreement to make it binding. I am confident that Canada will ratify this agreement if we pass the bill. However, we need quite a few other states to make it binding, and there is no plan for that. I did not hear the parliamentary secretary to the minister say anything about a plan to make the agreement binding on the international stage. I hope that the government will provide more details about that because the clock is ticking. This agreement has been awaiting ratification for several years, and we will have to keep waiting until 14 more countries ratify it.

Let us remember that the bill amends a number of Canadian bills. Bill S-3 itself will not create a new law. It will ratify the international agreement and amend existing Canadian laws. Since that has already been covered, I will not talk about the bills that will be amended. I might get back to that in a few minutes.

I would like to reiterate a point made by my colleague from New Westminster—Coquitlam a few moments ago. It is fine to amend the laws in order to ratify the international agreement, but Bill C-38, an omnibus budget bill, amended the Fisheries Act and the Coastal Fisheries Protection Act. The amendments went so far that we wonder whether the government is serious about protecting the environment and the fishery. With the amendments in Bill C-38, we have reached a point where the federal government is shirking its responsibilities with respect to protecting the fishery, and with Bill S-3 the government is saying that we will have a sustainable fishery. I find it very hard to believe that we can have a sustainable fishery in Canada if we have reached a point where we cannot even report on the state of the species in our waters.

During debate in committee, we heard that the bill did not address the problem of the cuts made to Fisheries and Oceans Canada in recent budgets. The budget for monitoring illegal fishing, the focus of Bill S-3, was cut by \$4.2 million. Fisheries and Oceans Canada does not have the tools to do what it is being asked to do in this bill. It is all well and good to say that we want a sustainable fishery, that we want to more closely monitor illegal fishing in Canada, but we need the tools for that. With budget cuts to Fisheries and Oceans Canada and the Canadian Coast Guard, we suspect that our ability to perform these roles will diminish.

I would also like to point out that marine communications and traffic centres are being closed. The government wanted to close the

Quebec City marine rescue sub-centre, but fortunately the NDP was there to defend it.

• (1130)

All of these valuable tools allow better surveillance of our waterways and illegal fishing. However, when these surveillance tools are eliminated, any legislation we pass becomes meaningless. We should reject bills that are of no real substance. There have been too many cuts at Fisheries and Oceans Canada, and this government has basically gutted the Fisheries Act. We all remember how much frustration there was when Bill C-38 and Bill C-45 passed.

Fishers, coastal communities and the fish processing industry are being asked more and more to be the only protection officers. They are being asked to do what Fisheries and Oceans Canada should be doing. All of those people pay taxes and expect certain services, but unfortunately, those services have been eliminated. The role of Fisheries and Oceans Canada in coastal communities is diminishing every year, and now we have a bill before us that claims to increase surveillance of our waters. The people of my region would therefore be right to question how this is going to be done. How can our waters really be monitored with so many cuts to Fisheries and Oceans Canada and, more importantly, the Canadian Coast Guard?

To come back to the bill and the amendments it will make, it is important to note that this bill is not just about surveillance and control. There are some aspects of the bill that we did not talk about today but that deserve our attention.

For example, the bill will change the definition of “fish” and add a definition of “crustacean” and other species that will now be subject to the protection regime set out in the international agreement signed through the United Nations. That is a good thing. We need to broaden the definition so that it covers more than just traditional products. Things are not at all like they were in the 1980s, when we could fish large quantities of cod. Crustaceans have become much more popular on the international market, and the government is right to add them to the definition to widen the jurisdiction.

However, where is the support? This year, coastal communities had a lot of problems because the winter was so cold. Unfortunately, the Canadian Coast Guard and icebreakers were not around very much to help coastal communities prepare for the shellfish season. In eastern Canada, the start of this fishing season was significantly delayed, which will affect the industry's profitability and the income of many fishers. We can do as much as we want to control illegal fishing, but if our fishers are the last ones to get their products on the international market and that market is already flooded with legal products from other countries, it will be difficult to remain competitive internationally.

The bill supposedly enhances protection for legal fishing, but fishers need certain tools in the field to benefit from that protection. I am wondering why this government believes that this bill will be enough to help coastal communities.

*Government Orders*

Even today, fishers in the Magdalen Islands think that Fisheries and Oceans Canada has not consulted with them enough regarding a number of aspects of the fishery. That is something that I hear often. There is almost no consultation. Consultation was conducted fairly regularly on this bill. For example, the Standing Committee on Fisheries and Oceans examined it and heard from witnesses, which is a good thing. However, when it comes to consulting coastal communities on the real impacts of legal fishing, Fisheries and Oceans Canada is basically missing in action.

• (1135)

I am very grateful to the parliamentary secretary and the members of the standing committee for studying this bill so thoroughly, but I would like them to go much further.

When the parliamentary committee is called on to discuss the impact of a bill on the other changes Canada has made to its laws, then maybe it should focus on that, especially on the changes made by Bills C-38 and C-45.

Let us come back to the bill before us today. The international fish trade is worth roughly \$130 billion. International fishery is a highly valuable industry on the world market.

However, there is practically no illegal fishing in Canada according to testimony in committee. When departmental representatives were asked the question, they were unable to describe the extent of illegal fishing in Canada. They said it was hard to put a number to it because there were very few facts available and, if I understand correctly, little to no monitoring.

Again, we would be hard-pressed to improve our ability to monitor and quantify illegal fishing in Canada with this bill, if the resources are not on the ground to truly assess the extent of illegal fishing.

It is all well and good to give the minister discretionary power, but, to start with, the government always grants fishing vessels a licence. The licence request is key in ensuring that Canada can monitor and search a ship suspected of fishing illegally.

This bill goes in circles. I would have liked to see measures that were much more beneficial to the fishery.

The testimony in committee was given by a Fisheries and Oceans Canada representative, Allan MacLean, on March 12, 2015. That was not that long ago. A question was asked in English by an NDP member:

• (1140)

[English]

If the purpose of this is to prevent illegally caught fish from coming into Canada, don't you have any estimates on how much fish is coming into Canada, or any idea of what kind of problem it is, or the extent of this problem?

[Translation]

Mr. Rosser replied:

[English]

—it's hard to be certain about the level of illegal activity.

[Translation]

Once again, the department is simply not able to tell us the extent of the problem.

Today we are debating a bill that the parliamentary committee spent a lot of time studying, and the department itself cannot answer a simple question about the extent of the problem. The department does not even know.

I think it is important to ratify United Nations agreements, and I am pleased that the Conservatives are ratifying an agreement, because I think they have some reservations about ratifying UN international agreements. Nevertheless, they will do so with this bill and that is very good.

However, I do have to wonder something. If the government does not even know the extent of the problem, would it not be a good time to conduct an investigation? Should we not beef up resources at Fisheries and Oceans Canada so that the department can do the work this bill is asking it to do?

The government cut \$4.2 million from surveillance, maintenance and marine traffic and rescue centres. We should beef up these resources. We are jeopardizing mariners' lives and the outcome and value of the fishery if we do not improve the resources at Fisheries and Oceans Canada.

Unfortunately this is not addressed in the bill, but the bill is a step in the right direction. The government should start investing in the fishery instead of just passing bills that have no substance.

[English]

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, I thank my colleague for his speech in the House about this important matter. I have two questions pertaining to the committee.

He mentioned quite a bit about the committee seeming to have a hard time trying to get the scale and scope of what is happening out there with illegal fishing. The first question is this. What was the problem there? Was it a lack of witnesses, or did the witnesses not have the knowledge? Did the committee ask any international witnesses to come forward?

My second question is this. Why has it taken so long for this bill to finally come forward? Has the committee been pushing over the years to get it? It seems that this could have been done a long time ago, because other countries seem to be ahead of us.

• (1145)

**Mr. Philip Toone:** Mr. Speaker, starting with the last question, the committee could have moved this forward. We remember that this bill was initially presented to the House as Bill S-13 but, due to prorogation, the bill died on the order paper.

Certainly when it comes to ratifying international agreements, we should be more timely. It would be best to ask the parliamentary secretary why the government has not been more forthcoming in bringing these bills forward.

*Government Orders*

Going back to the member's first question, when Fisheries and Oceans officials are brought to the committee and asked direct questions on the impact of this bill and the value of illegal fishing in this country, it is abhorrent that they cannot answer. It is unfathomable to me that our ministries do not have the resources at their disposal to be able to know the state of the fisheries in Canada. If we ask them specific questions, they should be able to come up with specific answers. To this date, they still have not. I am still waiting, and I would love to hear more precision from the government regarding fisheries activities in this country, because I know the Conservatives have gutted the Fisheries Act and they have gutted resources to the ministry. It is about time they started investing.

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I listened to my colleague make some excellent points about this bill. While he acknowledged we are supporting it and it is a small step in the right direction, he listed quite a few concerns in terms of illegal fishing, what our government is doing, and what could be done, including increased surveillance and the lack of surveillance that we currently have.

The member talked about the cuts to the Coast Guard. Certainly on the west coast, in the busiest port in the country, we have lost the Kitsilano Coast Guard station. It was shut down. He also pointed out the Marine Communications and Traffic Services centres being shut down, on the west coast again. We have had five centres consolidated down to two. We have lost three centres.

The question is to the point of surveillance. The member mentioned that, when the officials came to committee, they were not able to provide the answers needed by the committee. I want to know from my hon. colleague if he believes the government is serious about protecting our coast and about monitoring our fishery and providing the surveillance needed in terms of investments and resources. I also want to ask, finally, if he could comment on this: while there is a 200-nautical-mile limit on the west coast, late last year the government quietly reduced from 50 nautical miles to 12 nautical miles our responsibility and jurisdiction.

Could the member comment on either of those two questions?

**Mr. Philip Toone:** Mr. Speaker, I thank my colleague for the questions. They certainly merit a lot of attention. In the few minutes I have in front of me, I do not think I could do them justice.

Certainly, the government has been seen, over and over again, to reduce its responsibilities as much on the international scene as locally. Bringing us back to a 12-nautical-mile limit, instead of the more modern 200-nautical-mile limit, shows that the government is looking back and not forward. It needs to improve its responsibilities. With respect to protecting our coasts and fisheries, I think actions speak louder than words when we close Maritime traffic control centres, close Coast Guard stations, and challenge communities themselves to replace the work that Fisheries and Oceans and the Coast Guard are supposed to do on our behalf. We are asking people to do things that they simply are not equipped to do. Government is the best vehicle to protect our coastlines and to ensure our fisheries are sustainable, and we need to have bills in front of us that reflect that engagement on the part of our government. Unfortunately, what we have seen from the government

are bills that gut fisheries protections and coastal protections. Its priorities are upside down, and they certainly are not sustainable.

• (1150)

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, I am pleased to rise today to speak on Bill S-3, an act to amend the Coastal Fisheries Protection Act. The fishery is the biggest employer in my riding and also provides many of the fresh fish products to the states and throughout Asia. The fishermen back home are trying to get out on the water, but they are surrounded by ice.

It is a pleasure for me to speak on this bill today, a bill that would prohibit the importation of illegal codfish and marine plants, extend Canadian control over foreign fishing vessels seeking access to Canadian ports, give Canadian fisheries protection officers greater authority and powers of enforcement, and allow the minister to share information with regard to the inspection of foreign vessels, as well as greater information sharing between Fisheries and Oceans Canada and the Canada Border Services Agency related to the importation of fish and fish products.

As the Liberal critic, the member for Cardigan, said when he spoke on this bill at second reading, the Liberal Party supports this bill and the implementation of the Port State Measures Agreement. On November 22, 2009, a conference of the Food and Agricultural Organization of the United Nations approved the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, or Port State Management Agreement. Canada signed the agreement on November 19, 2010, but it has yet to be ratified. The Port State Measures Agreement would contribute to harmonized port state measures, enhance regional and international co-operation, and block the flow of illegal, unreported, and unregulated—which we abbreviate to the IUU—codfish into national and international markets.

As discussed previously in the House and at committee, this is a good bill. It is good that the government is signing on to the Port State Measures Agreement and making the proper legislative amendments needed to do so. On the other hand, however, Liberals wonder why the government has taken so long to move on this important legislation, a question I asked of the member earlier. Proroguing Parliament takes this all away, sometimes for political gain, and the government should look at the situation and how it is putting the fisheries in jeopardy.

This was first introduced as Bill S-13 at the end of 2012. Then it was brought back as Bill S-3 in October of 2013. It is difficult to understand why the Conservatives let the bill sit so long before moving it forward if they place any importance on this issue. The major problem we have on this side is that, while the government is finally putting this legislation in place, which is a good thing, it is taking away the other areas that are so important in this fight against illegal fishing.

*Government Orders*

While Liberals welcome the measures in this bill, the government has undermined surveillance and monitoring programs for foreign offshore fishing vessels. It has cut \$4.2 million and 23 full-time jobs in Canada's offshore surveillance of foreign fishing vessels, which will result in a reduction of the Northwest Atlantic Fisheries Organization, or as many of us know, NAFO. NAFO air hours will go from 1,000 to 600 and its sea days will go from 785 to 600. That is a big reduction. If we are going to implement this bill, we are going to need more resources, but the trend now is that we are getting less. That is very concerning. It is hard to see how this would help in the fight against illegal fishing activities, both within and outside of Canadian waters.

The government also has no information on what illegal fishing is taking place, both within and outside of Canada's 200-mile limit. Despite repeated questions at committee stage of this bill, the government could not provide the proper answers to members of the committee or provide the witnesses who would be able to answer the committee members' questions with knowledge and authority. For a country that relies so much on fisheries, having such a large fisheries department, and taking part in international agreements, one would think the committee would have been able to get the proper resources and people to answer those questions. We can see the scope of how important this bill is.

• (1155)

The lack of this information is made even more concerning when combined with the government's cuts to offshore surveillance.

These are serious concerns. Illegal fishing inside or outside waters and illegally caught fish entering our country are very serious issues. I wish the government would take these things more seriously and have the proper answers as to what kind of activity is taking place and what is going on in these areas.

Members of the House and Canadians deserve answers to questions like this. We are all here to represent people who sent us to the House of Commons. If the people in our ridings depend on the fishery, they deserve to have more answers. As I stated before, in communities that I represent all through northern Cape Breton, it is a lifeline. Tourism is important in our area, but fishing is the mainstay, and it always was. People originally came to Cape Breton for the fish. Before coal and steel, fish were the thing. They came for the groundfish, now it is shellfish. Whether it is crab, lobster or shrimp, these are the big fisheries in our area. The fish move, so when they move in and out, and people catch them offshore, it is a problem.

People involved in the fishing industry and all those concerned with illegal fishing activity deserve to have answers. If the government has some details on these questions, perhaps it could provide them to the members here today.

How much illegal fishing activity is taking place in Canadian waters? How much is happening outside the 200-mile limit? I was very concerned with some of the members bringing up how our surveillance was getting shorter and the limit was being expanded. How much illegally caught fish and seafood enter into our ports? These figures are very important to members of the House and anyone involved in the fisheries. If the government could shed some light on that, it would be much appreciated.

As long as I have been in the House, I have been involved in the fisheries. I have represented men and women living in my area. In my area of northern Cape Breton, there are at least 20 fishing communities from Pleasant Bay all the way to New Waterford. The average community would probably have 20 or 25 lobster boats, but they also catch crab, groundfish and halibut. In addition, we have four fishing plants there. If we take everyone who is involved, whether it is the skippers on the boats, or the helpers, or the guys and girls on the wharfs sorting the lobsters, or the people who bring ice or the truck drivers, the fisheries are very important in my area.

These fishers employ thousands and people in Cape Breton rely on that, whether the fishermen are buying trucks, or rope from our rope manufacturing plant. Therefore, it is more than what we see down at the harbour or at the port. There is more of an impact directly and indirectly from all those jobs in the fisheries. It was such a big thing for us at the time to get the 200-mile limit, but now we have to go one step further. We catch mackerel in our area, but they swim outside the 200-mile limit and come back. If they are getting caught outside that limit, we are not going to catch them. We use them not only for eating but also for bait.

Sometimes it can be hard to get people in central Canada and people in the west, who are thousands of miles away from our coasts, to fully understand just how important the fisheries are to us down home. Many come there during our tourist season and see it. We appreciate it when they come to the east coast to see not only our beauty, but our small fishing communities. It is not by coincidence that we still have those small fishing communities. It is part of what was installed years ago by the late Roméo LeBlanc when he set up the quota system and the owner-operator system. Those are key pillars to our fishing communities.

Sometimes we have to look at it. It is a major economic driver, not only to my province, my riding and Atlantic Canada, but to all of Canada.

• (1200)

We have some of the best seafood products in the world down home, and it is very concerning that if there is illegal fishing taking place, it could be contributing to lower prices for our products or weaken demand at home and abroad. Therefore, not only is it taking the fish away, but it is dumping them on markets and bringing the prices down.

The government made some needed amendments at committee, which brings the bill in line with what it sets out to do. However, I would like those on the government side to clarify that the fines set out in their amendments would have a cap for fines and punishment of at least \$500,000 upon conviction, or impose heavier fines if needed.



*Government Orders*

Members of the fisheries committee tried to get these answers last week. However, since the Conservatives were unable to let the committee hear from any legal experts on this, I am sure they were given the proper legal opinion. It is great to catch people, but what will deter them? There has to be major fines.

For example, imagine if the amount of illegally-caught fish was in the millions of dollars. It is like catching people speeding. They could be doing it all time. Therefore, if the catch is \$1 million, those convicted have millions of dollars in capital, and a fine of \$500,000 might not even be enough to deter them from doing it again. It is one thing to catch people, and we would need to have the surveillance and people there to catch them, but when they are caught, there has to be a quick process, such as major fines and being blacklisted around the world for illegally catching fish. Many times, illegal fishing hurts the fishermen in these areas, but it could also decimate some of the fragile fish species.

The government and the courts need to have the flexibility to make the punishment fit the crime. Far too often, members of Parliament and members of committee ask questions but get no answers from the government. I hope the Conservatives can clarify these issues in the House.

The amendments made at committee were okay, and we support them and the bill. However, I wish the government would be willing to provide further information and clarification for members who have questions on these issues. However, the port state measures agreement implementation act is important and it needs to be passed into law so Canada can do its part in the international fight against illegal fishing.

Canada needs to take a leadership role in the fight against this kind of activity, both at home and around the world. As a country with the world's largest coastline and so many people relying on fisheries to make a living, it is our duty to be a leader on this. We took the leadership on the 200-mile limit, and we should take leadership on these measures.

The Liberals believe in the vital role the fishing industry plays in Canada's economy and culture. It contributes over \$5.4 billion and 71,000 full-time jobs to the Canadian economy, which is big. In Canada, over \$4 billion, including \$1.3 billion in my province of Nova Scotia alone, in fish and seafood products are exported each year. This number could be even higher if Canada and the global community came together to effectively crack down on the illegal fishing happening here and around the world.

We believe the federal government must play a strong role in cracking down on illegal, unreported and unregulated, or IUU, fishing to protect the livelihoods of fishers, fisheries conservation and the Canadian economy. It is important to note that illegal fishing activities cost the global economy up to \$23 billion per year.

I am proud the Liberal Party has a strong record when dealing with illegal, unregulated and unreported fishing. As many in the House know, former fisheries minister, Brian Tobin, made a very good point to the world when we caught a Spanish trawler off the coast of Newfoundland. It was shocking to see the small fish the trawler caught, which I think were turbot. Mr. Tobin took the net to

the UN in New York and held it up. The world could not believe how small the mesh was, so no fish would get through.

● (1205)

It really woke up the international community at the time, and Canada took a big lead in that. However, it was under the leadership of Mr. Brian Tobin and the Liberal government of the time.

We had communities, whether they were in Newfoundland, Nova Scotia, Atlantic Canada, or P.E.I., that lost a ground fishery because there was overfishing. It was not just because of international causes, we were one of the culprits. We were catching too many fish. We were going through a phase when we were trying to get our fisheries back, so we took strong steps. We had the cod moratorium, so we closed our fisheries. However, lo and behold, others did not. Others were fishing outside of our limits. It was very important that to manage our fisheries, protect them, save them and rebuild them everybody around the world also had to do it. However, that was not happening, so what Mr. Tobin did was a good thing.

We established the 200-mile limit fishing zone that protected the fishermen from foreign trawlers. We also amended the Coastal Fisheries Protection Act to extend its application to the Northwest Atlantic Fisheries Organization, or NAFO, regulatory area. Then there was the turbot war, as I mentioned. We are an active member on the High Seas Task Force, an international task force committed to stopping the IUU fishing in parts the ocean that is not under the exclusive control of sovereign states.

Our party has taken a strong lead in protecting our fishing communities and helping them rebound. Fish, especially wild fish, is in great demand around the world, not only for its taste but for its health. It is only going to be maintained if we regulate it properly, if we catch the bad guys who are catching too much of the wrong species or the wrong size and not reporting it.

In my community, and in many communities, we are now seeing a process in place where people are certified in managing and monitoring their fisheries properly. Many countries in Europe and around the world, and many of the buyers of fish are looking for that certification. That will also be a deterrent in preventing illegal fish or the wrong fish getting into the market.

We on this side the House are pleased to support the bill and to fight against illegal, unreported and unregulated fishing, both here at home and around the world.

**Mr. Gerald Keddy (Parliamentary Secretary to the Minister of Agriculture, to the Minister of National Revenue and for the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, I will be sharing my time with the whip of the Conservative Party.

*Government Orders*

I am certainly pleased to be here today to speak to this important piece of legislation, Bill S-3, an act to amend the Coastal Fisheries Protection Act.

As has been stated by my hon. colleagues, illegal, unreported and unregulated fishing is a very serious problem both around the world and here at home. It is one of the main impediments to the achievement of sustainable fisheries worldwide, and it depresses the market prices for our fisheries exports.

As a Nova Scotian and a former chair of the fisheries committee, I understand the critical importance of our fishing industry and the role it plays in our economy, both at the local level and national level. Hard-working, law-abiding fishermen are committed to ensuring that Canada's marine resources are sustainably harvested and continue to be available for future generations. We invest in extensive fisheries science and monitor the status of fisheries and make decisions on how much catch can be allowed in a given season to ensure the health of the fishery.

However, those vessels that undertake illegal fishing operations have no regard for the sustainability of the fisheries they target. Their only concern is fishing as much as possible and selling that catch in the global market. We must stand up for our fishermen by supporting efforts to combat illegal fishing. We need to pass Bill S-3.

In Canada, we appreciate the critical importance of protecting our shared fishery waters. This includes our leadership efforts to ensure sustainable fishing practices and enforcement in the Northwest Atlantic Fisheries Organization, and let me be clear that the bill before us today would not impact the management of NAFO, as the amendments relate to the activities at port, not at sea. Plus, our leadership in this organization demonstrates our country's commitment to sustainable fishing.

As part of our NAFO enforcement efforts, our inspectors make use of a comprehensive approach, including the use of satellite vessel monitoring systems, port inspection, daily catch reports and surveillance overflight information to target offenders.

We are seeing results. Due to our conservation measures, illegal fishing has been deterred, and the number of citations has been decreasing overall in the last 15 years, with only nine citations issued in 2014.

Turning back to the bill before us, the international community has been working to develop global tools to prevent, deter and eliminate illegal, unreported and unregulated fishing activities. I am proud to say that the Government of Canada is part of this global movement.

As a nation with a robust fishing industry, Canada has a strong interest in protecting fish stocks and ensuring that fishing regulations are respected. The goal of the port state measures agreement is to prevent a vessel that has been fishing illegally to land its catch and for the illegal catch to enter the market. The agreement needs 25 parties to come into force. So far, 11 countries have taken the steps needed to ratify or otherwise become parties to the treaty, and another 16, including Canada, have indicated they will become parties as well.

With the existing Coastal Fisheries Protection Act and its regulations, Canada already has a robust port state control regime for foreign fishing vessels, and these amendments would make our regime even stronger. Even without the agreement, these amendments are important for improving Canadian fisheries enforcement efforts.

The proposed legislative changes have a practical necessity as well. The first concerns authorities related to the port access of foreign fishing vessels. As my hon. colleague has stated, the proposed changes establish an enforcement system that would apply when a foreign vessel has been directed by its flag state to enter a Canadian port. In this case, Canada would issue a specific permit for the sole purpose of inspection and enforcement.

●(1210)

It may be the case that the flag state may want Canada's assistance to conduct an inspection and to gather evidence. In such cases, allowing a vessel into our ports to gather this evidence would be more effective at combatting illegal fishing than keeping that vessel out of our ports.

As illegal fishing is a global threat to sustainable fisheries, the sharing of information on illegal fishing operations is essential for our partners to work collectively to address this international threat. We need to know who the criminals are to ensure that they are prevented from landing their catch.

The amendments to the Coastal Fisheries Protection Act would clearly lay out information to be shared with our international enforcement partners. Here at home, Bill S-3 would give clarity to the ability of Fisheries and Oceans Canada and the Canada Border Services Agency to share information related to the importation of fish and seafood products.

Another category of changes contained in Bill S-3 concerns import prohibitions and related authorities. Under the proposed changes, it would give authorities new, practical tools to enforce prohibitions on illegal fisheries.

Currently, fisheries officers are limited to inspecting wharves and ships. Obviously, global trade is changing and fisheries officers need to be able to inspect all areas where fish may be kept. Those areas include warehouses, vehicles, or through a point of entry, such as an airport. These amendments would allow fisheries protection officers to seize illegally caught fish in these places and seek their forfeiture in the event of conviction for their illegal transportation.

The amendments would also ensure that the punishment fits the crime. If a court finds the person guilty of an importation offence under the act, significant fines would apply. Over and above these penalties, the court could also order an additional fine equal to the financial benefits the defendants gain from committing the offence. This would ensure that fines do not simply become a cost of doing business.

Fishing is a global industry, and our government recognizes this reality. Some of our key fisheries export markets, such as the European Union, have already ratified and implemented the port state measures agreement. Others, such as the United States, will soon be on board. These amendments would apply the same global standard in our ports as our key trading partners.

*Government Orders*

In conclusion, Bill S-3 would strengthen the Coastal Fisheries Protection Act, aligning it with the new global standard articulated in the port state measures agreement as part of meeting our international obligations.

The bill would allow us to protect the livelihoods of legitimate fish harvesters in Canada more effectively by limiting the amount of illegal fish that enter the world markets and that undermine the profits of responsible law-abiding fish harvesters. Our government is committed to ensuring sustainable fisheries and maximizing economic opportunities for our harvesters. Part of that commitment is supporting the global fight against illegal fishing.

In closing, I urge all hon. members to join me in supporting these critical amendments to the Coastal Fisheries Protection Act. This is a piece of common sense legislation that I think all sides of the House can support. It would enable our fisheries officers to actually board foreign vessels not just at the wharf, but also when that fish has been landed at the wharf and is en route to a market somewhere in Canada or North America.

The importance of this should not be understated. It would be one more tool in the tool belt of our enforcement officers. They have a tough job as it is. This would enable them to shut down overfishing, and specifically foreign overfishing. It would allow them to go on board foreign vessels. It would encourage those flagged owners of those vessels to force those vessels to port in Canada, and would allow our fisheries officers to go on board.

This is a win-win not just for enforcement in Canada, but it is a win-win for the global fisheries and sustainability everywhere.

• (1215)

[*Translation*]

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I agree that this bill is a step in the right direction to protect our fishing industry. However, this is a global issue, and we do business with economic partners.

Will the Conservative government ask other countries in the international community to sign and ratify the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing? Canada does business with some countries, such as Mexico, Spain and Panama, whose vessels are known to practise illegal, unreported and unregulated fishing.

[*English*]

**Mr. Gerald Keddy:** Mr. Speaker, I agree with the hon. member that this is a global problem. This problem is not as bad in the North Atlantic as it is in some areas of the world's oceans, especially off of Africa and in Southeast Asia, but it is not as if it is not a problem off the east coast and west coast of Canada. It is a problem.

What the bill would allow is for the first time we would be able to encourage those countries where the vessels are flagged to force the owners, through pressure from international agencies, to bring those vessels ashore. If there are no illegal fish on board, good for them. If there is, it could be seized and reasonable penalties could be applied.

• (1220)

**Ms. Yvonne Jones (Labrador, Lib.):** Mr. Speaker, obviously, we certainly support any measures that we can take to combat illegal

activities in our waters, illegal fishing, unreported and unregulated foreign fishing.

However, my question goes back to the cuts we have seen in the fisheries sector, in particular in surveillance, monitoring and other services. Throughout Atlantic Canada we have seen fisheries offices close and many people who were in enforcement positions lose their jobs. We have seen the government cut about \$4.2 million from offshore resources for surveillance and monitoring. It has also cut 23 positions in foreign monitoring and surveillance of the offshore fishing vessels.

In developing these new measures, is the government also prepared to put adequate resources in to ensure that the job gets done properly?

**Mr. Gerald Keddy:** Mr. Speaker, I represent one of the largest and most valuable fisheries ridings in the country. Our landed catch, along with West Nova, the neighbouring riding, is somewhere in excess of 20% of the entire Canadian fishery on all three coasts.

If the member were to ask the fishermen in my riding, they would tell her that there is lots of enforcement. There is a process in place, which the hon. member is very aware of. They have to hail out before they leave to go fishing and they have to hail back in. There are on-board inspections. There is an inspection when they come to the wharf. It is very difficult to break the rules in Canada. Also, there is much more electronic surveillance available. A good part of the fleet carries a black box, so they have geographical positioning at all times, so fisheries and oceans can track those vessels. They know if they are fishing up against the line, if they are not allowed inside the 30-mile line, or if they are supposed to fish outside the 50-mile line. We know where they are at all times.

In answer to her question, enforcement is extremely important, but enforcement tools are more robust and far reaching than they have ever been.

**Hon. John Duncan (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, our fish harvesters work tirelessly on the seas to make a living, often in challenging conditions. Through their determination, these efforts support the economies of coastal communities and, more broadly, a multibillion-dollar seafood industry for Canada.

Therefore, it is completely unacceptable that international poachers are ignoring national and international rules and regulations that allow them to avoid the true cost of fishing. They leave distorted market prices and missed profits in their wake, which undermines the livelihoods of our legitimate fish harvesters and threatens the stability and the sustainability of global fisheries.

*Government Orders*

That is why I am pleased to support Bill S-3, an act to amend the Coastal Fisheries Protection Act, which would give Canada additional tools to combat illegal, unreported and unregulated fishing activities.

Our government has embarked upon the most ambitious trade agenda in our nation's history. This is important in the context of this bill. Through our comprehensive economic and trade agreement with the EU and the Canada-Korea free trade agreement, we are opening up new markets and economic opportunities for all Canadian industries and sectors. Our fish and seafood producers will be able to benefit significantly from these agreements with the reduction and removal of tariffs on our world-class products.

However, as we gain increased market access, it becomes all the more important that we support global efforts to fight illegal fisheries.

According to a 2008 British study, the impact of illegal fishing activities is staggering. The global economic loss from these fisheries is estimated at \$10 billion U.S. to \$23 billion U.S. annually.

The impact of global activities by illegal fishing vessels on the high seas does affect Canadians. After all, Canada exports 85% of its fish and seafood products. This generates a healthy \$4 billion for our economy every year. However, if we could curtail illegal fishing internationally, we would do even better.

As a British Columbian, I know how illegal fishing half a world away can have a real impact upon Canada's bottom line. In British Columbia, our once-thriving red and green sea urchin fishery severely declined when illegally harvested products entered international trade and flooded the market. These short-sighted actions by criminals looking to make a quick profit have caused massive damage to this fishery. Illegal fishing is not just some far-off issue. It has real economic impacts for those who make their living from the sea and the communities that depend upon this income.

The strong economic argument is one reason why Canada joined other countries to adopt the port state measures agreement.

There are strong environmental reasons why Canada supports the agreement. Illegal fishing undermines the sustainable management of both fisheries and the ecosystems and habitats upon which those fisheries depend. The port state measures agreement is a logical step in the global effort to improve fisheries' conservation, by ensuring that only legally harvested fish can enter ports for domestic markets and international trade. That is what Bill S-3 is all about.

Canada already has many of the core requirements in place to ratify the port state measures agreement. However, there are a few areas where we need to align our legislation with the new global standard. Specifically, these amendments would expand inspection and enforcement powers beyond the traditional fishing vessel; strengthen prohibitions and international enforcement against imports of illegally harvested fish products; and create an enforcement regime for foreign fishing vessels ordered to port by the flag state for enforcement purposes.

● (1225)

I will speak to two of these important amendments: the ability of flag states to order their ships to port; and improved information sharing among enforcement partners.

Under the Coastal Fisheries Protection Regulations, a foreign fishing vessel must apply for a licence to enter a Canadian port at least 30 days in advance of its entry into Canadian fisheries waters. However, a vessel that has been fishing illegally has good reason to avoid our ports and therefore the vessel is unlikely to apply for entry. Even if the nation responsible for the vessel, the flag state, orders the vessel to enter a Canadian port for inspection, the current legal system requires that the vessel itself apply for a licence. To address this, Bill S-3 would authorize fisheries protection officers to take appropriate enforcement action when the circumstance is such that the vessel is directed to port by its flag state solely for inspection purposes.

It is important to note that this amendment would not change Canada's ability to refuse port access to any illegal fishing vessel that violates conservation and enforcement measures of regional fisheries management bodies. What it would do is implement a key provision of the port state measures agreement. Generally, the agreement requires parties to refuse entry to vessels involved in illegal fishing. This would now be an exception in order to enable a party to allow such a vessel to enter port for the purpose of inspecting it, gathering evidence and taking other appropriate enforcement action on behalf of the flag state.

To crack down on illegal fishing internationally, we need intelligence and better sharing protocols among our enforcement officers at home and leading nations when it comes to tracking offenders. That is why the second area of amendments focuses on improving information sharing. Through this bill, for example, Fisheries and Oceans Canada and the Canada Border Services Agency would gain new and express authority to share information with each other. Similarly, Canada would gain clearer authority to share information regarding actions taken against illegal foreign fishing vessels with other responsible states and regional and international organizations. For example, the information could include the fact that we denied a foreign vessel entry into a Canadian port, any enforcement action that we might take, the results of any inspection and the outcome of any legal proceedings.

Experience tells us that globally strong port state measures can deter illegal fishing. The port state measures agreement represents one of the most efficient and effective approaches to deal with illegal, unreported or unregulated fishing across the globe. Supporting Bill S-3 would allow Canada to follow through on this important international commitment. I urge all members to support this bill.

*Government Orders*

•(1230)

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I appreciate the hon. member's comments on this act and the amendment and proposed changes. He did talk about illegal fishing, as did the parliamentary secretary earlier.

My question is in terms of illegal fishing. We are well aware that one of the worst offenders is the shark fishery. Scientists tell us that over 100 million sharks a year are being fished out of our seas. They are being targeted for their fins. It is a very brutal fishery where the fins are cut off and the shark is then tossed back into the ocean, often alive and left to suffocate. It is a brutal way for this fishery to do that to these animals. As members know, sharks play a key role in maintaining the health of our oceans.

If the government is serious about illegal fishing, I am wondering why we have not been able to make more inroads. For instance, I put forward a private member's bill to ban the importation of shark fin to Canada. The government had an opportunity to vote on this to make a difference in illegal fishing. We know this fishery is mainly composed of illegal fishing. The Conservatives could have made a difference by voting with me and with the opposition but they did not. I wonder if the hon. member could explain why they did not do that.

**Hon. John Duncan:** Mr. Speaker, there are amendments to Bill S-3 that allow the government to make documentation requirements for seafood imports consistent with the catch document requirements of regional fisheries management organizations around the world. Therefore, once we pass this bill, any illegal fish in any part of the world would then be illegal in Canada. I think that addresses the concerns that the member has just expressed.

**Ms. Yvonne Jones (Labrador, Lib.):** Mr. Speaker, it is no surprise that the Liberals would certainly support any measures that help prevent overfishing and illegal fishing in our waters. After all, we were the people who introduced the 200-mile limit off Canada to protect our fishing industries. We were the ones who fought the Spanish in the turbot wars to protect the Canadian fisheries and to shut out foreign interests.

However, we also know it is equally important to protect our own fishing people in this country. The government opposite has cut things like marine Coast Guard centres in St. John's, Newfoundland and Coast Guard radio operations in places like St. Anthony, where people in the industry depend on it.

When the member spoke, he talked about protecting our fishermen who put their lives on the line and go out there on the sea. Therefore, I would ask him if he supports reinstating those services so that we can ensure that the lives of the fishing people are protected in this country.

•(1235)

**Hon. John Duncan:** Mr. Speaker, like the member from Atlantic Canada who spoke before me, the member for South Shore—St. Margaret's, I come from a large coastal riding with a lot of commercial fisheries. I am also host to the Canadian Forces air base in Comox where we run aerial surveillance right out into the mid-Pacific and ensure that the use of the long nets that had been used throughout the 1960s, 1970s and 1980s to intercept valuable fisheries pretty much comes to an end due to the aerial

reconnaissance that Canada has carried out and continues to carry out.

We have done a lot of good things on the fisheries resource. Many of our salmon runs are coming back. We have put individual quotas in place on most of our groundfisheries and commercial harvesting is now in a very sustainable place, so I am not finding the same findings that the member for Labrador is alluding to.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, it is privilege to stand on behalf of the official opposition New Democratic Party of Canada and speak to this important Bill S-3, an act to amend the Coastal Fisheries Protection Act, Port State Measures Agreement Implementation Act. Behind that rather anodyne title I think reside some very important principles.

I should say at the outset that I am proud to be sharing my time with the hon. member for New Westminster—Coquitlam.

The bill essentially deals with an extremely important industry for Canada, which is our fisheries, and the very important need to protect the coastal communities and the hundreds of thousands of Canadians who depend on that fishery, and the many jobs that come with it, for their livelihoods.

A couple of statistics show the importance of the problem the bill aims to address, which is illegal, unreported, and unregulated fishing. A 2008 study estimated that the economic loss worldwide due to pirate fishing ranges from U.S. \$10 billion to U.S. \$23 billion every year.

Illegal, unregulated, and unreported fishing produces between 11 million and 26 million tonnes of seafood annually and can represent as much as 40% of the total catch in some fisheries.

Canada's commercial wild capture fisheries, aquaculture, and fish and seafood processing contribute \$5.4 billion in total GDP annually and support 71,000 full-time equivalent employees in this country's economy.

The official opposition New Democrats want to focus on the importance of the bill in protecting our fisheries resources and in starting to tackle illegal fishing, because it undermines conservation and management efforts put forth by Canada and others to ensure that the fishing industry remains sustainable. Of course, underlying everything is the important need to protect our ocean ecosystems. The changes proposed in the bill will help protect fishers and their communities from unfair competition, and we support the bill accordingly.

Bill S-3 has been a long time coming, and if there is one criticism we would make of the government is that it has taken an unacceptable amount of time to bring this legislation before the House. With the numbers I just went over, we see that every year of delay costs our economy billions of dollars and harms the ecosystems of the world.

*Government Orders*

The bill was introduced in the Senate and passed third reading on March 7, 2013, some two years ago. After prorogation, the bill was reintroduced as Bill S-3, and it passed through the Senate again. It was introduced in the House of Commons on February 11, 2014, so it has taken the government a number of years to bring this legislation before the House, and I have not heard any acceptable reason for that.

I want to go over some of the provisions of the bill so that we can get an idea of why the bill is important and what it actually does to change Canadian law.

The Coastal Fisheries Protection Act, one of the pieces of legislation the bill amends, regulates foreign fishing vessels that are fishing in Canadian fisheries waters and are harvesting sedentary species, like oysters and clams, on the continental shelf of Canada beyond Canadian fisheries waters. The act also extends its application to the Northwest Atlantic Fisheries Organization regulatory area, and it prohibits specific classes or sizes of foreign fishing vessels from fishing for straddling stocks, that is, fish that move between international waters in the regulatory domestic area. The act also prohibits fishing vessels without nationality from fishing in Canadian or NAFO waters.

I will stop there for a moment, because this reminds me of a very concerning provision in the comprehensive economic trade agreement, CETA, that is currently being discussed between Canada and the European Union. By the way, contrary to what the Conservatives say, that treaty is not concluded. We have no final official text yet. It is still being worked on, although it is expected to come some time this year or perhaps next year.

● (1240)

There is a provision in CETA that deals with cabotage that has many people in this country in the seafaring industry concerned, and that is the provision that would allow European flag vessels to move containers on inland Canadian waters, primarily between Newfoundland and Montreal. The seafaring industry and the seafarers' union, in particular, are very concerned that permitting foreign flagged vessels on inland Canadian waters represents a threat not only to their jobs but to the security of Canada.

I should point out that the United States has the Jones Act, which prohibits any foreign flagged vessel from anywhere from plying American inland waters. Only U.S. flag vessels can do that. It is so the U.S. can keep control of the crews and the security of their ships. However, the Conservative government wants to allow foreign flag vessels to ply Canadian inland waters and seas. I would point out that this is a concern the New Democrats will be bringing up if CETA ever comes before the House in legislative form.

The port state measures agreement is an agreement that aims to prevent illegally caught fish from entering international markets through ports. Under the terms of the treaty, foreign vessels would provide advance notice and request permission for port entry, countries would conduct regular inspections in accordance with the universal minimum standards, offending vessels would be denied the use of ports or certain port services, and information-sharing networks would be created. The reason this provision is important is that Canada should be a world leader in preventing illegally caught fish from entering international markets through our ports.

Here is another irony. About six months ago, I raised in this very House the practice of illegally caught fin whale meat entering the Port of Halifax, being transported across Canada, and leaving the port of Vancouver. Fin whale meat is an endangered species, and Canada is a signatory to international conventions that prevent us from engaging in the trade of fin whale meat. I raised in the House that Canada was being used as a conduit by a Scandinavian country to ship its illegally caught whale meat through Canada to Japanese markets, and the government has done nothing since to stop it. Therefore, it is ironic that Conservatives stand in the House and try to look like they are preventing illegally caught fish from entering Canada or markets through our ports, when they are permitting endangered whale meat at this very moment to go through our ports.

I also want to point to the government's failures with regard to taking care of our oceans and fisheries. My hon. colleague from New Westminster—Coquitlam has already brought up his excellent bill that would prohibit the importation of shark fins into this country, because, of course, there is an absolute crisis in our oceans with illegal shark finning, and the Conservatives refuse to act on that.

In addition, it has been pointed out that the government has closed Coast Guard stations and maritime communications centres on both coasts, including in my city of Vancouver, where it closed the Kitsilano Coast Guard station. I have already seen the foolishness of that decision, because there was just an oil spill in English Bay, right off the coast of Vancouver. Everyone in Vancouver and British Columbia knows that had the Kitsilano Coast Guard station been open, there would have been a quicker response time, and that oil spill would have been contained better and more quickly. Yet as a result of the Conservatives' mismanagement in this area, they actually caused toxic damage to be done to the ocean off the coast of Vancouver because of their shortsighted decision.

I also want to talk a little about fish stock conservation. The fishery on both coasts, in fact, on all three coasts in this country, is extremely important. It is important to aboriginal people, coastal communities, Canadian consumers, and the fishing industry. Yet the government has not taken adequate steps to protect fishery stocks in this country.

On the coast of British Columbia, its iconic species of salmon is critical to the economy of British Columbia and in fact to the culture of British Columbia. I know that the people of British Columbia want to see their federal government take every step possible to make sure that there are sustainable fish stocks of every species, on all coasts, today and for generations to come.

With an NDP government, which will happen this fall, they will see a government that will actually take better steps to conserve fish stocks on the east coast, the west coast, in the north, and in the inland waterways, where the current government has gutted navigable waters protection. They will see a New Democrat government that will protect all waters in this country and all of the life within those waters for the benefit of future generations and our economy.

*Government Orders*

• (1245)

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, if I understood correctly, the NDP will be supporting this bill, so I congratulate him on that.

I want to ask him a question on a separate but I think related topic, because he touched on it somewhat in his words. Under the previous Liberal government, there was the complete destruction of the ability of the Canadian Armed Forces and the Canadian Coast Guard to respond to a number of issues on either coast. We have embarked on a national shipbuilding strategy, which would renew the fleets of both the Royal Canadian Navy and the Coast Guard. A large part of this is the reconstruction and rebuilding of yards on both the east and west coasts, potentially very close to the member's riding.

I wonder if he might comment on how important it is that we get these vessels completed and on the importance of these vessels not only in securing our borders from illegal fishing but in helping to improve the local economies of British Columbia and our Atlantic provinces.

**Mr. Don Davies:** Mr. Speaker, that is an excellent question. I would congratulate the government on its made-in-Canada procurement solution to our navy needs. I am very happy to see that the government has done that. The NDP has been calling for that for decades to make sure that we stimulate the Canadian shipbuilding industry.

The member is quite right that on the north shore of the Lower Mainland we have Seaspans, which is going to get, I think, several billion dollars of work. That will not only help British Columbians and the British Columbia shipbuilding industry but will provide what we all believe we need to have a well-equipped navy.

I want to just for a moment address his reference to the performance of the previous Liberal governments. Under the previous Liberal governments, and we have heard some bragging here, we saw the collapse of the cod fishery. We saw the mismanagement of several species of fishery stocks in this country, which created crises in many provinces. We saw an infrastructure deficit build up under the previous Liberal governments, which basically balanced their budgets by ignoring important infrastructure and pressing social needs.

Again, with a New Democratic government this October, Canadians will have a chance to see a government that actually invests in infrastructure and does not allow such a deficit to build up only to pass on that responsibility to future generations.

• (1250)

**Ms. Yvonne Jones (Labrador, Lib.):** Mr. Speaker, it is always great to have dreams, I say.

Liberals believe in the vital role of the fishing industry. We know the number of Canadians who are dependent on this industry. Protecting this industry is why we brought in the 200-mile limit. It is why we challenged the Spanish in the turbot war. It was so we could protect the Canadian fishing industry from foreign fishing.

We support the bill before us today. However, the problem I see, and I ask the member if he shares this, is that it was the Conservative government that cut \$4.2 million and 23 jobs in Canada's offshore

surveillance of foreign fishing vessels. Today they are talking about giving more powers to Canadian fisheries protection officers and greater authority for enforcement, but do they not also need to give them the resources and tools to do their jobs appropriately and not cut the people who are out there enforcing these policies already?

**Mr. Don Davies:** Mr. Speaker, the member is correct in the sense that we can pass all the laws we want in the House, and we can put words on paper, but it really comes down to providing the actual resources on the ground to the civil service and the regulatory bodies that are charged with actually making the goals of these pieces of legislation a reality.

I want to stop for a moment, because my hon. colleague mentioned that it is good to have dreams, and it is. Tommy Douglas, one of the founders and towering figures of Canadian politics, said do not dream little dreams. What we saw yesterday in Alberta is what happens when people come together and choose the politics of hope and a politics of investing in our communities. They chose a New Democratic government that will provide a better form of government, not like the Conservative and Liberal failures that have marked this country for far too long. It will change this October.

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I rise today to talk about Bill S-3, an act to amend the Coastal Fisheries Protection Act, the Port State Measures Agreement implementation act.

I just want to provide a little background. It is an act to amend the Coastal Fisheries Protection Act. It was introduced in the Senate, about which of course we have some serious concerns, not only about that body in the upper chamber but how this bill was introduced. However, it was passed at third reading on March 7, 2013, after prorogation. The bill was then reintroduced as Bill S-3 and passed through the Senate again. It was introduced in the House of Commons on February 11, 2014.

The bill would amend the CFPFA to implement the United Nations Food and Agriculture Organization's 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. In addition, Bill S-3 would add to the act prohibitions relating to importing illegally acquired fish and marine plants, and would clarify some of the act's administration and enforcement provisions.

Under the CFPFA, the act would also prohibit fishing vessels without nationality from fishing in Canadian or NAFO waters. The United States has introduced similar legislation in an effort to ratify the PSMA. It should be noted that the agreement can only come into force after it has been ratified by 25 nations.

We in the official opposition think this is a small step in the right direction. We, in fact, support this bill and support this measure. However, we have some serious concerns. We have some concerns about how this bill would be resourced and how it would actually come into effect and be implemented.

*Government Orders*

I want to talk about some of those concerns, whether they be the fisheries, the Coast Guard, or dealing with our oceans. I think this really speaks to the commitment of the government to invest in the real concern of illegal fishing, which is surveillance. We can look at the past actions of the government. When it comes to the fisheries, it has gutted the Fisheries Act.

This is a critical tool that has been used to protect our fishery for over 100 years in this country. It is a powerful piece of legislation. Under this watch, under this government, it has now been gutted. It specifically went after a section, under habitat, where it has made very significant changes that would weaken the Fisheries Act and the protection of our fishery.

The resources to habitat are critical because I think this speaks to what the government's agenda is, which is really focused on getting oil to the coast. We on the west coast certainly know that is a clear agenda the government has. It has been open about the Enbridge northern gateway pipeline, which would traverse northern British Columbia through watersheds that are critical to fish and fisheries. That is a clear objective that the government has, and it is overriding the fisheries and our commitment to a sound investment in fisheries.

We can also see that in terms of the government's lack of investment on science, or hearing from scientists. We are not getting that information from scientists because the government is muzzling those scientists. They are not able to speak out on some of these serious concerns. Once they find these concerns through their studies, getting that to the public is made even more difficult.

The government has made significant cuts to the department in terms of its resources over the years, and has not spent some of the budgeted funding that is available. We are seeing a pattern here in terms of the fisheries. When we look to the Coast Guard, which is there to protect our coast, to prohibit illegal vessels from coming into Canadian waters, we are seeing cuts there, as well.

We are seeing cuts in the busiest port in the country, Vancouver, to the Kitsilano Coast Guard station. There has been a huge outcry from many people across the political spectrum, from the province to cities to health concerns to mariners to recreational boaters. All have said the same thing, that closing that strategically located station in a key position in that port is going to not only cost lives but will make a difference.

• (1255)

My hon. colleague from Vancouver Kingsway mentioned we recently had a very small spill in English Bay, and that station could have played a key role in maintaining and confining that spill. Unfortunately, it was not able to do that. It is closed. The equipment that was there obviously could not be used. These are indications of a government that is not serious about investing in the resources needed to protect, investigate, and do the surveillance needed for an illegal fishery.

I come back to our Coast Guard. I am from the west coast. My riding of New Westminster—Coquitlam, along with Port Moody, right on the Fraser River, also touches Burrard Inlet, so I am nestled in coastal waters in an important riding that is part of the fisheries on the Fraser River. It is one of the greatest salmon rivers in the world.

Therefore, it is important to my riding that the federal government is investing in coastal protection.

We had five MCTS stations on the west coast until the government closed three of the five. It closed the Ucluelet, Comox, and Vancouver stations. The Marine Communications and Traffic Services centres are really the air traffic controllers for the oceans. The centres play a critical role in knowing what vessels are out there and what is happening on the waters. The government is closing three of the five, leaving two, one in Victoria and one in Prince Rupert, near Alaska, to do the entire coast. This is unacceptable. This is going to cause problems. After the closure in Vancouver, there will be zero Coast Guard presence in Vancouver. Canadians and those on the coast in British Columbia and Vancouver find that completely unacceptable. It will lead to problems. They have been speaking out for years, in the case of the Kitsilano closure, and the government has refused to listen.

In terms of our oceans, we have a lack of science and knowledge about the changing of the oceans and the impact climate change, for instance, is having on our oceans. Also, there is acidification. The ocean is increasing in acidity, and that is playing a key role in how things change. That speaks again to a lack of investment to find out and to know what those key changes will be.

Earlier, I asked a question about why the government did not support my private member's bill to ban the importation of shark fins to Canada. Our scientists are telling us that sharks are playing a key role in maintaining the health of the oceans, and we are losing them at a dramatic rate, more than 100 million sharks a year. It is hard to fathom that we are losing that many sharks a year. They play a critical role in maintaining the balance of our ocean ecosystem, yet we are not getting the response needed from the government. It was a very close vote. It lost by five votes. All it needed was three more Conservative members. We did have three who stood up and voted with the opposition on that vote, but unfortunately, we did not have enough. That was a simple measure that could have made a difference.

I know the bill is just really a housekeeping measure, but if the government is really serious about tackling illegal fishing, then it must invest the resources needed to deal with our fisheries, including our Coast Guard, and also to look at our oceans.

It is important to mention some of the validators that have come forward to lend their concerns. I want to quickly finish by mentioning two. The Pew environmental group has said:

Illegal fishing is a major threat to the sustainability of the world's fisheries. Some estimates are that illegal and unreported fishing accounts for up to \$23.5 billion worth of fish annually worldwide, and up to 20 percent of all of the wild marine fish caught globally. In some parts of the world, the situation is even more dire. For example, fisheries scientists estimate that illegal fishing accounts for up to 40 percent of fish caught in West Africa.



*Government Orders*

• (1300)

I can go on. I wanted to mention Brad Caldwell, who is the west coast co-chair of the fisheries committee of the Canadian Maritime Law Association. However, I am out of time. Maybe somebody will ask me a question about what he had to say on this bill.

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, my question for my colleague is this. What did he say about that?

**Mr. Fin Donnelly:** Mr. Speaker, I appreciate that excellent question. That is going to allow me to enter into the record what Mr. Caldwell had to say, and it is important. He said:

The CMLA is strongly in support of DFO's initiative to curb IUU fishing through the implementation of this bill. Although we strongly support it, there is one area where we feel there could be some modest room for improvement...

A suggested modest improvement to the bill involves the proposed change to section 13 of the Coastal Fisheries Protection Act. Our proposal would be very similar to a change that was proposed by the Government of Canada to section 71(2) of the Fisheries Act back in 2007 when it tabled Bill C-32.

I enter that into the record.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, first I want to thank the member for New Westminster—Coquitlam for his outstanding advocacy and work in protecting fisheries on the west coast. He is a well-known champion and advocate, and his activism in response to the recent oil spill in English Bay was just outstanding. I know he spoke for thousands of people in metro Vancouver who have so much concern.

I would like to ask the member a question on his comments about the importance of coastal protection and how this, as he has pointed out, is really just a housekeeping bill, but the issue that underlies this is coastal protection. It seems incredible that three out of five of the marine communications control centres were closed. Is there anywhere else in the world that would have that kind of lack of oversight in and environment where so much of a complex coast would be unprotected, particularly in metro Vancouver where there is, of course, so much marine traffic? I wonder if the member would just expand upon that a bit more.

• (1305)

**Mr. Fin Donnelly:** Mr. Speaker, I thank my hon. colleague for her service to this House over the years. That is a great question.

As the member mentioned, I definitely have commitment to ocean health and ocean protection, as does our leader. We are committed to investing in the resources, which is what is really missing. The thrust of my speech was about how there is not that investment and commitment to make a difference in terms of illegal and unreported fishing.

When we look around the world at other jurisdictions, we see the opposite. Where there are similar moves to reduce government involvement, we see problems. In Europe, they are investing now. They are hiring more officials to deal with their coastal protection.

This is the wrong direction. Our Coast Guard officials to whom I have spoken have clearly said that cutting the MCTS stations is going to cost lives. This will not help in terms of increasing our surveillance on the waters. In fact, the limit on the west coast over which we as a country had surveillance was 50 miles just until late last year, when it was reduced to 12 miles.

These are both the wrong directions: to shrink our jurisdiction to 12 nautical miles off the west coast, and to shrink the amount of resources we are investing in protection. It is inexcusable. It is not the right direction. It is not what Canadians want.

I know that, on October 19, Canadians and those in Vancouver who were very concerned about the closure of the Kitsilano Coast Guard station and the lack of an MCTS station will have an opportunity to vote in an NDP government to make those changes, to make those investments to increase our coastal protection and communities.

**Mr. Rodney Weston (Saint John, CPC):** Mr. Speaker, I will be sharing my time today with the hon. member for Yukon.

I am pleased to stand in the House today to support Bill S-3, amendments to the Coastal Fisheries Protection Act. As my hon. colleagues have stated, these amendments would give Canada and our global partners the tools to combat illegal, unreported and unregulated fishing activities more effectively.

When it comes to foreign fishing vessels, Canada already has a robust port patrol system. The vast majority of annually stocked fishing vessels are Canadian. Our comprehensive port licensing and inspection requirements mean that vessels fishing illegally on the high seas already avoid Canadian ports.

Nevertheless, Canada has made a commitment to implement additional measures in order to support global efforts to combat illegal fishing worldwide. Once approved, the proposed amendments to the act will allow us to better protect the economic interests of our hard-working, legitimate Canadian fishermen and their families by strengthening the global effort to combat illegal fishing and further preventing access to the Canadian marketplace.

Of course, Canada is no stranger to strong fisheries enforcement and conservation. It is an area that we already take very seriously. For example, our domestic conservation and protection program applies a rigorous standard of scrutiny to our fisheries to ensure that practices are responsible and consistent with legal or regulatory requirements.

There are approximately 584 fisheries officers in the conservation and protection program, which continues to recruit new, dedicated talent. In fact, a new class of 22 recruits is currently training and is scheduled to graduate this month. We support the crucial work these officers do with the ongoing development of a national fisheries intelligence service, which complements existing enforcement efforts and will address the areas of greatest risk.

Additionally, five new specialized midshore patrol vessels were built and deployed on the east and west coast, specifically to conduct fisheries enforcement patrols. These efforts to protect our domestic fisheries are garnering real results. From 2012 to 2014, fisheries officers detected over 23,000 violations. They issued over 5,500 charges, which resulted in issuing over 2,600 tickets, and they obtained over 2,900 convictions, an overall \$6 million in fines.

*Government Orders*

In the case of the Atlantic halibut, our government recently announced that over the past five years our enforcement efforts had resulted in over \$1 million in fines and 164 convictions.

When it comes to ensuring the sustainability of our fisheries, our government is delivering for Canadians.

Turning to the amendments that we are discussing today, it is important that we take the same dedication to enforcing protection in our fisheries as we do to protecting the port activities of our country. As has been stated by my colleagues earlier, the proposed changes would make it an offence to import illegal, unreported and unregulated fish into Canada, cutting off potential trade of illegal and unsustainable catches.

On top of the penalties and charges, these amendments ensure that courts have the power to fine those convicted under the act for importing illegally harvested fish and seafood products, with a penalty equal to the financial benefits of their illegal activity. This is in addition to strict penalties under the act, which include a summary conviction that would land an illegal harvester a fine of up to \$100,000, a conviction or indictment costing vessels up to \$500,000, and subsequent convictions that would garner up to double these fines.

The purpose of the port state measures agreement is to create an economic disincentive for this illegal activity. That is why the amendments have included the provision for the courts to order the convicted parties to pay an additional fine equal to the estimated financial benefit they expected to gain from committing the offence. Under the proposed amendments, it would definitely not pay to do the crime.

The species of fish that tend to be targeted for illegal fishing are those of the highest of value. Bluefin tuna and albacore tuna are great examples. From an international perspective, the cost of not taking these actions is too grave to risk, both for our economy and the environment. We must continue to support the efforts of the responsible international fishing community.

• (1310)

The amendments also cover several changes in definitions for consistency with the port state measures agreement. These definitions are phrased carefully to avoid catching the wrong vessels in the enforcement net. While we are broadening our international leadership, we will not saddle our legitimate industry with unnecessary bureaucracy.

As an example, the amended definition of “fishing vessel” would include any craft used in the transshipping of fish for marine plants, but it would not include vessels merely equipped to transship at sea that are not involved in fishing activity and are not carrying fish nor previously controlled in another port.

Naturally, it is not our intention to search for illegal fish on vessels that ship wheat or manufactured products. The proposed amendments will also redefine the term “fish”. In keeping with the port state measures agreement and in alignment with the Fisheries Act, “fish” would include shellfish and crustaceans as well. These amendments would also add a definition of “marine plant” to reflect the broad scope of the international agreement.

Bill S-3 would strengthen the Coastal Fisheries Protection Act greatly, aligning it with the new global standard articulated in the port state measures agreement. As part of meeting our international obligations, the bill would allow us to protect the livelihoods of legitimate fish harvesters in Canada more effectively.

Canada is a net exporter of fish and seafood, and our world-class products increasingly find their way onto the dinner plates of customers across the globe. The European Union and the United States are our key export markets, to the tune of \$3.5 billion per year. For them, as for us, combatting illegal fishing is a high priority. We want to work together with our global allies to combat this scourge, and these amendments would allow us to be at the forefront with our international partners and our customers.

I want to take this opportunity to urge all hon. members to join me in supporting this bill to protect the livelihoods of legitimate, hard-working fishermen, who play by the rules, and to ensure sustainable management of fisheries for generations to come.

• (1315)

[*Translation*]

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, few people in the House know this, but I was born near a small coastal village in the Gaspé called Grande-Rivière. My father worked for many years at the fishery school. We talked about the industry at home. Soon, we will pass this bill.

Fisheries have been transformed over the past 50 or 60 years. They have become industrial. Canada has drawn coastal boundaries to protect its fisheries.

We support this bill, but I am worried. Earlier, the whip said that as part of the new action plan, information would be shared with other countries. Can we get a more specific action plan to protect our fisheries?

[*English*]

**Mr. Rodney Weston:** Mr. Speaker, like the hon. member, I too was born in a coastal fishing community and I certainly have a great deal of respect for those who earn their living at sea. We would not want to do anything that would jeopardize that livelihood in any way, shape or form.

As per the port state measures agreement, we will participate with other countries that share the same beliefs and same goals that we have with respect to protecting a livelihood we value and cherish for many years to come. Under the agreement, we will continue to work with these countries to ensure this livelihood continues for many years.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, coming from the Prairies, Manitoba has a very strong, active commercial fishing industry that employs several thousand Manitobans and provides a substantial income. Whether it is on our many lakes or in the Churchill area, there is a great deal of concern with respect to overfishing or the types of fish being brought into Canada, potentially illegally.

*Government Orders*

How will this legislation impact Manitoba's commercial fishing industry?

**Mr. Rodney Weston:** Mr. Speaker, I recognize that the province of Manitoba has a vibrant fishing community. As the member might or might not be aware, I chair the fisheries committee. My hon. colleague from Dauphin—Swan River—Marquette is always making the other members of that committee and me aware of how vibrant the industry in Manitoba is.

The port state measures agreement that we will sign on to through the passage of this legislation will enhance the protection of all fisheries in the member countries. We are in agreement with the other countries with respect to reducing the amount of unreported and unregulated fishing activities. We want to reduce the amount of illegal activity, which is good for our entire fishing industry. It will show that our country does not fool around when it comes to illegal activity, when it comes to protecting a fishery that so many depend on for their livelihoods. We are not prepared to screw around with that at all.

[*Translation*]

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, there is one thing that worries me. Yes, this bill is a step in the right direction, but the Conservative government basically gutted the Fisheries Act, and the role of Fisheries and Oceans Canada is diminishing every year in coastal communities.

How, then, does the government plan to enforce this bill without adequate resources to do so? How can we eliminate illegal fishing without the resources needed to do so? It does not just magically happen; it takes resources.

• (1320)

[*English*]

**Mr. Rodney Weston:** Mr. Speaker, the member might not have heard, but in my speech I noted that we had large enforcement agency and we would continue to expand it on an annual basis. This month we anticipate another 22 officers graduating, and we look forward to training more in the years to come.

**Mr. Ryan Leef (Yukon, CPC):** Mr. Speaker, I am certainly pleased, today, to stand in this House to add my comments about Bill S-3, an act to amend the Coastal Fisheries Protection Act.

We have heard today from many members of this House on the merits of these amendments. I will be using my time to reiterate the need for these amendments and highlight a few of the key points that have been discussed.

As we have heard, the purpose of the bill is to enable Canada to ratify the international agreement on port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing.

As a former conservation officer myself and ex officio fisheries officer, I understand that a strong, sustainable fishing industry supports jobs and economic growth in rural communities and, indeed, in all communities in this country. In Canada, the seafood industry is a major economic driver. Canadian fishermen work hard and play by the rules. Our country has a rigorous fisheries management system and measures in place to ensure that our fisheries are sustainable and will be present for future generations.

Unfortunately, not all of the world's oceans are so well protected. While Canada's current Coastal Fisheries Protection Act and extensive catch monitoring programs already deter illegal fishing vessels from entering our ports, the bill would further expand our powers to prevent illegal fish from entering the Canadian marketplace and support the global effort to stop illegal fishing.

I cannot stress enough that globally illegal, unreported and unregulated fishing is an issue of grave concern. The port state measures agreement would deal with the worldwide problem of illegal fishing, which has serious economic and environmental consequences to Canadians. Fish are a highly valued commodity and, as such, illegal, unreported and unregulated fishing has rapidly become a new global challenge. Illegal fishing operators gain economic advantage over legitimate fish harvesters through lower costs of operation, by circumventing national laws and regulations.

They also undermine conservation and management measures of regional fishery management organizations and other international standards, often including those for labour and safety conditions for the crew, the men and women who work aboard those vessels.

Illegal fish in the global market can depress prices for fish products from legitimate fish harvesters. Canadian fishermen feel the impacts of illegal fishing, including unfair competition and price fluctuations created by illegal producers flooding the international markets. Canadian seafood exports are worth \$4 billion annually and 85% of all of our fish harvested is exported.

Therefore, Canada has a major economic stake in ensuring that illegal fish are kept off the global market.

We need to continue to be leaders in the international fight against threats to our fishing industry, in order to maintain a fair and stable market environment for our high quality fish and seafood exports.

Canada has a well-regulated fisheries. We are not the problem when it comes to illegal fishing. However, we can be part of the global situation and global solution. By strengthening the Coastal Fisheries Protection Act, we would protect this vital resource and support the international fight against this global scourge.

On this side of the House, we stand by our commitments. Canada signed the port state measures act agreement in 2010 and, as demonstrated by this bill being brought forward today, we will follow through on this commitment.

The amendments to the Coastal Fisheries Protection Act would also expand our capacity to deal with illegally caught fish from other jurisdictions. If a vessel is fishing outside of the controls required by a regional fish management organization or international norms, then fish caught by that vessel would be subject to intervention under this act.

We would now have the ability to deal with illegal fish product imports in an efficient way that would support the intent of the port state measures agreement.

*Government Orders*

We are proud of the already strong port access regime for foreign fishing vessels. Among other measures, Canada does not allow entry to vessels that are on the illegal, unreported and unregulated lists of the Northwest Atlantic Fisheries Organization or the International Commission for the Conservation of Atlantic Tunas.

● (1325)

These lists are a key tool for combatting illegal fishing globally. Included on these lists are fishing vessels and any craft that helps fishing vessels engage in illegal acts. For example, crafts providing fuel, transshipping products or packing materials would be covered and included in the list.

With these proposed amendments, we would be building on the already strong legislation to protect fishermen and fisherwomen and our national economy. Arrangements have already been undertaken among several regional fisheries management organizations to share such lists so that members can take the necessary action to deny port entry or services to these listed vessels. This would make illegal fishing more difficult and expensive for criminals.

The proposed changes to the Coastal Fisheries Protection Act set out tough prohibitions against the importation of illegally caught fish and other living marine organisms. Contravention of these provisions would be an offence under the amended Coastal Fisheries Protection Act, with strict penalties specified under the act. Together, these measures would help to dry up the profits from illegal fishing activities.

Fisheries and Oceans Canada, in close collaboration with the Canada Border Services Agency, would carry out enforcement with a view to protect legitimate cross-border trade of fish and seafood products. Preventing illegally taken fish and seafood products from entering Canadian markets is also a priority for Canada's trading partners, such as the United States and the European Union. Controls at the border for illegal fish harvests would bolster Canada's reputation as a responsible nation and a responsible trading partner.

I am a member of the fisheries committee. During our study of the bill, additional technical amendments were introduced to further strengthen this bill. The first new amendment introduced would enable Canada to make regulations that could specifically document requirements for the imports of fish and seafood products from fisheries management organizations, to which Canada is not party. This is a practical measure, as these amendments would address the situation of illegally harvested seafood from parts of the world where Canada does not fish, but from which it imports. Should a regional fisheries management organization in another region implement certification measures, we would have the authority to also require this documentation. This is a common sense measure and a common sense amendment, which we heard in committee, and we are pleased to put that forward. It would also ensure consistency and improve the sustainability of fisheries throughout the world while we are protecting legitimate trade.

The second amendment is a technical, common sense amendment to ensure that vessels or goods that have been seized are not returned to the offender upon conviction.

The bill, along with the additional amendments presented in the committee report to the Coastal Fisheries Protection Act that are

before the House, would strengthen and clarify Canada's domestic rules and reinforce its leadership in the global fight against harmful fishing. This bill demonstrates Canada's commitment to addressing the global challenge of combatting illegal, unreported and unregulated fishing by ensuring a modern legislative framework.

I am proud to be part of a government that is taking action against this global problem, which impacts our fishermen and fisherwomen here at home. We cannot tolerate the illegal exploitation of the world's great resources.

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, I appreciate my colleague's contribution to this debate. He is a member of the fisheries committee.

I wonder if he shares my disappointment. This is an important piece of legislation. It would enact an international agreement that was signed by nations, and it is important that it get done and that we deal with this issue. I will talk about this in more detail in my intervention.

This was first introduced into the Senate as Bill S-13, and it passed third reading there on March 7, 2013. That was over two years ago. I wonder if the member shares my disappointment that this important piece of legislation has languished so long in the back rooms, or wherever it languishes, and has not been adequately dealt with in a timely fashion here in the House of Commons.

● (1330)

**Mr. Ryan Leef:** Mr. Speaker, I thank my colleague for both his intervention here and his contributions to our fisheries committee. I look forward to his remarks later in the day. As we move this forward, members heard in my intervention how critical unreported, unregulated fisheries are, not just in Canada but globally. We have a number of key partners involved in this, some 25 states signing onto this agreement, 11 of which have completed and are signatories to this now.

It is important that we get this right. It is important that we take the time, which we did at the fisheries committee where we engaged in a pretty detailed review of this. We were able to ask for technical advice and get the proper input to make sure that we had the right piece of legislation going forward.

We can preserve and protect the integrity of Canada's fishing industry, both our imports and our exports. That is not something that should be taken lightly or rushed through. The House, the Senate and our committee have given it due consideration as reflected by the amendments that are now being put forward here today. We have done a good job. I think the committee has done a good job and Canada can be proud of this. Our industry can be confident that this piece of legislation is going to leave Canada at the forefront of tackling this very serious issue.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I would like to pick up on the previous question. We need not only to recognize the fishing industry here in Canada, but to recognize that in the world we have failed to provide stronger leadership from Canada, given the vastness, the coastlines, the interest and strong potential that Canada could be playing at the international scene.

*Government Orders*

The reason we have this legislation before us is because of an international agreement, so it is a follow-through from that agreement.

Does the member believe that Canada could actually be playing a stronger leadership role, not only here in Canada, but more so in the world when it comes to the important issue of world fisheries?

**Mr. Ryan Leef:** Mr. Speaker, my colleague's question is important and he raises a great point about Canada and the geography. There are 25 member states that are required to sign this FAO agreement and 11 have done so, so we are not quite at the halfway point yet. Canada is such a massive nation and the member pointed out that our coastline is so significant. When we look at what our primary law enforcement agencies and others are doing to deter, detect, prevent and enforce regulations on such a broad coastline, I think they should be commended.

As we look at signing these agreements, we need to make sure that we have the legislation right, and that the tools are appropriate and proper, not just for those agencies, but in the context of the geography in which they have to work. Canada has to do land-based patrols, aerial surveillance patrols, sea patrols, dockside monitoring, electric monitoring, all kinds of things from coast to coast to coast. It is not an easy task, but Canadians are doing a great job. Canada is showing significant leadership on this file simply because of the operating conditions that we work in.

We are in a vastly different pool of regulatory regimes here in Canada and we are doing a wonderful job. Other nations can look to Canada and see how we are able to deter, prevent and detect unregulated, unreported fishing with such big boundaries to protect. The men and women who are doing that job are doing a fantastic job.

• (1335)

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, it is my pleasure and privilege to rise to speak to this legislation, Bill S-3.

As I indicated in my question to the member who spoke before me, I am disappointed by the fact that it has taken so long for this piece of legislation to work its way through the process. It was introduced in the Senate. It should not have been introduced in the Senate to begin with; it should have come through the House of Commons. Instead of slipping it in through the back door, it should have been dealt with here first by the elected representatives of Canadians.

The member suggested that Canada has a significant coastline. Canada has the longest coastline in the world. There are also important ocean nurseries, such as Georges Bank and Lancaster Sound. I am continually frustrated by the lack of leadership that the government shows on issues like this, issues that deal with our fishery, oceans, ocean health and the ocean ecosystem. The Conservatives committed to another international agreement through the UN that 10% of our coastal ecosystem in marine-protected areas would be protected by the year 2020. There is not a hope, if we continue at this pace, that we are ever going to achieve that commitment.

Luckily, as a result of the election that is about to be upon us, on October 19, a New Democrat government is going to start putting things in place to make sure that commitment is fulfilled and that 10% of our coastal ecosystem in marine-protected areas is protected by 2020. It can be done; it just requires the will. New Democrats will show the Conservatives how that is done.

Before I get into the significance of the bill and the lack of leadership we have seen by the government, another important issue is the government's failure to support my colleague's bill, Bill C-380, on shark finning. The member for New Westminster—Coquitlam has worked tirelessly on this issue. He has worked tirelessly on it because it is important. It is estimated that 100 million sharks are killed each year for their fins alone. He worked with members on all sides of the House to get their support, and it was close, but too many members on the government side bailed. They would not stand up. They said they were going to bring in stronger enforcement against shark finning, but that simply has not happened. That is another example of the lack of leadership on this important issue by the government.

I will not forget to mention that the government has cut funds for the Department of Fisheries and Oceans and the Coast Guard by well over \$100 million over the last couple of years in the area of science and enforcement. It has been one thing after another. Frankly, it is laughable when members opposite stand and talk about the leadership role that they play in fisheries management and protecting the oceans. As I have suggested, they do not contribute in any way in a leadership role on the issue of healthy oceans internationally.

• (1340)

Turning to Bill S-3, the bill was last debated in the House in February 2014. I do not know why that is. We had two committee meetings to deal with it, so it was not the committee that held it up, that is for sure. As it was, we only dealt with a few technical amendments and then voted to pass it on.

Illegal, unreported and unregulated fishing continues to be a very important global issue. It affects not only the health of our ocean's ecosystem and issues of conservation of stock management, but it also affects our economy.

Illegal, unreported and unregulated fishing is a major contributor to declining fish stocks and marine habitat destruction. Globally, IUU fishing takes many forms, both within nationally controlled waters and on the high seas. We know that it further threatens marine ecosystems, puts food security and regional stability at risk, and is linked to major human rights violations and organized crime.

While it is not known for sure how much IUU fishing is taking place, it is estimated that IUU fishing accounts for about 30% of all fishing activity worldwide. The worldwide value placed on IUU catches is somewhere between \$4 billion and \$9 billion a year. Approximately \$1.25 billion of this illegally captured fish is thought to be taken from the high seas, with the remainder fished illegally within the 200-mile limit of coastal states. The overall impact on the global economy, however, is valued much higher, in the area of \$23.5 billion.

### *Government Orders*

As members would expect, illegal fishing is most prevalent where governance measures to manage fisheries are the weakest, which explains why developing countries are the hardest hit by IUU fishing. An estimated \$1 billion in IUU fishing happens in the coastal waters of sub-Saharan Africa each year.

Strong governance of the high seas through regional fisheries management organizations is integral to reducing illegal fishing activities. The bill before us would help ensure that IUU fish do not make it onto the Canadian market and would provide disincentives for black market fish markets.

Tackling fishing on the high seas, as we have seen historically, requires large-scale international co-operation and commitment, both in terms of providing resources to implement agreed measures, such as in this case, implementing the port state measures agreement, and of coordinating efforts between relevant national and international authorities where, as I have suggested earlier, Canada should be a global leader.

Here in Canada, believe it or not, we do have fairly strong policies and enforcement to combat illegal fishing within our waters. Unfortunately, with the cutbacks to the Department of National Defence and DFO as it relates to the Coast Guard, we continue to be concerned with the ability of the government to actually carry out its enforcement responsibilities within the 200-mile limit.

I will speak for a minute about the Coastal Fisheries Protection Act. It regulates foreign fishing vessels fishing in Canada, as well as harvesting sedentary species like oysters and clams on the continental shelf of Canada beyond Canadian fisheries waters. The act also extends its application to the North Atlantic Fisheries Organization, NAFO, regulatory area and prohibits specific classes of foreign fishing vessels from fishing for straddling stocks. The act also prohibits fishing vessels without nationality from fishing in Canadian or NAFO waters.

● (1345)

As I indicated, Bill S-3 is making changes to the Coastal Fisheries Protection Act and enacting the international port state measures agreement that requires 25 nations to sign on in order for it to be ratified. Unfortunately, it has not reached even halfway yet.

The port state measures agreement specifically aims to prevent illegally caught fish from entering international markets through ports. Under the terms of the treaty, foreign vessels would provide advance notice and request permission for port entry. Countries would conduct regular inspections in accordance with universal minimum standards. Offending vessels would be denied use of the port or certain port services, and information sharing networks would be created.

The bill also provides regulatory power in relation to authorizing foreign fishing vessels ordered to port by their flag state to enter Canadian waters to verify compliance with law or conservation and management measures of fisheries as an organization.

The bill expands the definition of “fishing vessel”, which we have heard, to include any vessels used in the transshipment of fish or marine plants that have not been previously handled. The bill further expands the current definition of “fish” from shellfish, crustaceans and marine animals to include any part or derivative of them.

The port state measures agreement is the first global treaty focused specifically on the problem of illegally, unreported and unregulated fishing. To date, the European Union, Norway, Sri Lanka, and Myanmar have already ratified the port state measures agreement. The United States has introduced legislation, similar to Canada, in an effort to ratify the PSMA. As I indicated, in order for it to take effect internationally, it requires ratification by 25 states.

The illegal, unreported and unregulated fishery is a serious problem. It is a serious problem for the reasons that I have indicated and others. Canada needs to be at the forefront of measures like this to ensure the agreement is ratified by 25 nations. My question would be as to what Canada is doing to ensure that 25 nations actually move forward and take steps to ratify this agreement. We have not heard that in any of the debate. If the government was taking a leadership role, it would be able to give us a report on that.

Surely the government must understand. As I said earlier it has been two years since the bill was first passed in the Senate. We have had lots of time. The government has been aware of the issue. The government has been involved with this issue. I would certainly like to know, and I have not heard an explanation or a report on progress, how the other states are doing on the whole question of ratification.

When can we expect the agreement to be implemented? Will it be ignored, like the commitment to protect 10% our coastal ecosystem by 2020? Have the signatories to this agreement set a date by which they want to have the agreement ratified? Can the government report on what it is that it has done?

● (1350)

I and other members here have expressed some of our frustration about the lack of action on various issues relating to coastal protection and the failure of the government in so many areas relating to habitat protection.

Speaking of frustration, today in our committee we were hearing from witnesses. There was one from Alberta, the fish and wildlife society I believe it was. He talked about his frustration with the fact that the federal government is not doing enough to deal with questions of the damage to fish habitat. In fact, if I caught it correctly, he said something to the effect that the Department of Fisheries and Oceans is invisible in the western provinces.

I assured the witness that now that there is an NDP government in Alberta, he has the opportunity to work with a government that understands the importance of the environment and that, once an NDP government is in place after October 19, we would address that frustration. I assured him that we would ensure there is action taken in these areas and that the federal government would not be invisible in dealing with important issues of habitat management and ecosystem destruction.

*Statements by Members*

We do not have enough time on these committees to ask questions, but one of our concerns is the way that industrial expansion and the development of resources and resource extraction are taking precedence over environmental protections, taking precedence over our ability to protect important marine ecosystems, our rivers and lakes, let alone our oceans.

As members know, the government made enormous negative changes to the Fisheries Act back in 2012 and really exposed itself to this country and to many Canadians. I am in contact every day with those Canadians. They are concerned about the lack of attention that the current government is giving to fish habitat and to our ecosystems, concerned that the Conservatives are primarily concerned with resource extraction, whether that be in the moving of resources. If there is a waterway in the way—if it is a fish-bearing river or brook—the Conservatives have provided for undertakings to be granted that will basically allow them to run pipelines over these rivers and streams and through lakes. Those are the concerns that many of us have expressed and that our witness was partly expressing in his testimony today, if I may say so.

What we are looking at in our committee is the whole issue of the recreational fishery. It is an important fishery economically and culturally. However, as the representative from the Thames River in southwestern Ontario told us, if we do not have a healthy habitat and we are not able to protect and restore marine habitat, we are not going to have any fish. While we want to talk about how important the recreational fishery is to this country, we have to ensure we protect that marine and fish habitat.

It is about leadership, which I have been trying to talk a bit about. While I am pleased that this piece of legislation has come forward, I am disappointed at how long it took. I am disappointed at the fact that the current government has not been out in the forefront of ensuring that illegal, unregulated, unreported fishery stops, not in 10 years' time but now or next year.

• (1355)

Let us see some timelines. Let us see the government taking some action to make sure that the 25 nations, which are supposed to ratify this agreement, get it done. The Conservatives have not indicated to us whatsoever the actions they are taking to make sure they get it done.

I will be supporting this legislation. I am pleased to have the opportunity to speak, and I would be happy to answer some questions.

**Mr. Ryan Leef (Yukon, CPC):** Mr. Speaker, I thank my colleague for his intervention. He started with this and he ended with it: how disappointed he has been that this process has taken so long.

I ask my hon. colleague now to join me in calling on all members to remain seated. We can let the debate collapse and move to a voice vote, because the only thing that is delaying this from going forward now, it would appear to me—if the member is so concerned about getting the bill passed and done so quickly—is the continued debate on it. If we all agreed to sit down, this would go to a voice vote and we would be done. No more complaints about—

**The Deputy Speaker:** The hon. member for Dartmouth—Cole Harbour.

**Mr. Robert Chisholm:** Mr. Speaker, I appreciate that question because it absolutely underlines and highlights the approach the government has to this place, to the House of Commons, to Parliament. The Conservatives do not want to debate anything. They do not want to give us an opportunity to get up and talk about whether we support something or do not support something, and why. They do not want to hear that. They just want to control the agenda.

It was over a year ago that we last debated the bill. We now have the bill before us and we have had—what?—two hours to debate it and the Conservatives are already telling me to sit down. That is the way the government likes to deal with legislation. The Conservatives do not want debate. They do not want input. They just want to run it themselves.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I ask that the member pick up on the important role Canada could play in terms of our world oceans, which are quickly becoming depleted in many different ways, whether it is through small nets, overfishing, or so forth. Given the size of our coastline, not to mention the citizenry as a whole who want to see Canada play a stronger role in terms of leadership in overall management of the fishing industry, there would be benefits not only here in Canada but around the world if we get more directly involved.

Maybe the hon. member might want to provide some comment on that very important point of strong leadership coming from Canada to contribute to better oceans around the world.

**Mr. Robert Chisholm:** Mr. Speaker, it is very simple. Canadians are frustrated with the lack of leadership they have been getting from the Conservative and Liberal governments over the past 30 years; and come October 19, they will have the opportunity to see what real leadership is all about when they elect the NDP, which actually cares about our oceans and cares about protecting our marine environment. We will put that into action.

**The Deputy Speaker:** The hon. member for Dartmouth—Cole Harbour will have approximately six minutes for questions and comments when we resume debate on this issue.

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## STATEMENTS BY MEMBERS

[English]

### WOMEN'S SENIOR WORLD CURLING CHAMPIONS

**Mr. Larry Maguire (Brandon—Souris, CPC):** Mr. Speaker, even though spring is in full bloom, it gives me great pleasure to rise in the House to congratulate Canada's 2015 senior women's curling team on its recent world championship.

*Statements by Members*

Last month, Lois Fowler's rink of third, Maureen Bonar; second, Cathy Gauthier; lead, Allyson Stewart; and coach, Brian Fowler, proudly wore the maple leaf while winning the women's Senior World Curling Championships in Sochi, Russia. Not only was it their first world championship, but it was the first world curling title ever won by a Brandon-based team. With this world championship, they have once again made Westman proud, and as I have always said, Manitoba is the heartbeat of curling in Canada.

Lois, Maureen, Cathy, Allyson, and coach Brian have distinguished curling records and have inspired countless others to take up the sport. Not only are they great curlers, but they are class acts who are very much respected in the curling community.

On behalf of the members of the House of Commons, I extend hearty congratulations and all the best in their future endeavours.

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● (1400)

[*Translation*]

**TAXATION**

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, many Longueuil residents are doing more than their share and are paying enough taxes.

As these good people receive fewer services, they see billions of tax dollars disappearing into tax havens every year, instead of being invested in our hospitals, schools and public transit.

These people are right to wonder why it is always them, honest citizens, who have to pay, in the form of taxes, fees and reduced public services, to compensate for the multinationals that do as they please, and that, in addition to earning record profits here, refuse to comply with Canada's laws.

A total of \$170 billion has left Canada to be invested in Barbados, the Cayman Islands and Luxembourg.

Ottawa needs to work with its international partners to make sure that honest citizens are not the ones left to foot the bill for those who are cheating the system.

Canadians are doing their part. We need to work harder than ever to combat tax havens, and people can count on the NDP to fix this problem in 2015.

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[*English*]

**NATIONAL MENTAL HEALTH WEEK**

**Mrs. Patricia Davidson (Sarnia—Lambton, CPC):** Mr. Speaker, I am honoured to speak in support of Mental Health Week and to urge parliamentarians to continue our efforts of raising awareness toward fighting the stigma attached to mental illness.

According to the Canadian Mental Health Association, each year one in five Canadians experiences a personal mental health issue, with an estimated cost to our national economy of over \$150 million. Mental health issues can indirectly impact all of us at some time through a loved-one, friend, or colleague.

During Mental Health Week, Canadians must seek to confront the stigma still associated with the discussion of personal mental health matters, so that we can help those who truly need it. We must break this cycle and help Canadians understand that help is out there, that even the darkest clouds can have silver linings.

I ask MPs to share resources from CMHA with their constituents by visiting [mentalhealthweek.ca](http://mentalhealthweek.ca) and spreading the message across social media.

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**GLACE BAY CITIZENS SERVICE LEAGUE**

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, last week I had the great pleasure to attend the 50th anniversary of the Glace Bay Citizens Service League. In November 1965, under the guidance of Hilda Wright, on the initiative of the United Church, a pilot project was undertaken in ecumenical social service, bringing together churches, service groups, and social agencies with the goal of improving the economic conditions and quality of life for the people of Glace Bay.

The league provides programs, like the clothing depot, furniture exchange, backpack programs, Meals on Wheels, nursery schools, babysitting courses, and seniors programs, all delivered by an army of more than 200 incredibly dedicated volunteers.

The league presented 50-year service pins to Marge Petite, Effie MacAulay, Jeanette Sternes, and the league's first and longest serving board chair, Shirley Chernin.

The talented and dedicated staff, led by executive director Susan Plath and board of directors chair Agatha MacMullin, are the first to point to the hundreds of volunteers who have given so much to the benefit of so many as the reason for the league's 50 years of success.

I ask the House to join me in congratulating the Glace Bay Citizens Service League on its 50th anniversary of giving.

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**STUDENT SUMMER EMPLOYMENT**

**Ms. Joan Crockatt (Calgary Centre, CPC):** Mr. Speaker, today I want to bring some good news to Calgary parents and tell them what our government is doing for their youth this summer.

We know that parents are working really hard to put their kids through school. We also know that they want us to address one of their major concerns, which is whether their sons and daughters will have jobs once they graduate.

We are helping with that through our Canada summer jobs program. It is helping employers create 200 jobs in my riding of Calgary Centre alone and 35,000 summer jobs for students across the country. Starting right away, they will be gaining career experience and also making some money this summer.



Now \$950,000 of taxpayers' dollars are going to support student jobs in my riding of Calgary Centre alone. Some of the places we will see students working are the YMCA's kids in motion program; Wordfest, celebrating the joy of reading and writing; Terex Environmental, providing environmental services to business; Petroleum Technology Alliance; the Calgary Stampede; and The Mustard Seed.

I ask members to cheer them on when they see them.

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• (1405)

#### NEIGHBOURHOOD HOUSE WEEK

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, three municipalities in the Lower Mainland of British Columbia have proclaimed May 3 to 9, Neighbourhood House Week.

It gives me great pleasure to draw to the attention of the House to the multi-faceted contributions of these outstanding organizations to our communities and our country.

The rich history of the neighbourhood house movement in metro Vancouver dates back to 1894, when the precursor of the Alexandra Neighbourhood House, a children's orphanage, opened on Pine Street. Today, we have 14 neighbourhood houses that serve more than 100,000 people every year. These treasures provide a broad array of services that bring every part of our community together. They feed the homeless, teach our youth, and nurture our citizens.

From social, cultural and recreational programs to helping individuals, families and new Canadians develop and connect, neighbourhood houses are welcoming homes for everyone in our community.

In Vancouver Kingsway, we are blessed with three outstanding neighbourhood houses: Cedar Cottage, Collingwood and Little Mountain. On behalf of the Parliament of Canada, we thank them and all neighbourhood houses for their contributions to our nation.

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#### VICTORY IN EUROPE DAY

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, 70 years ago tomorrow the guns fell silent in Europe after five years and eight months of destruction and the death of tens of millions of people.

Victory in Europe Day commemorates the courage, service and sacrifice of millions of people committed to upholding freedom and democracy on behalf of those who could not do it themselves. Among them were one million Canadians in uniform, many of them related to people in the House and gallery today.

The history of Canada is replete with examples of our country standing up when it counts. We can never forget that and we should always be proud of that.

Today the veterans affairs committee and I, with the able assistance of my grandson Tyler and granddaughter Raiya, laid a wreath at the National War Memorial to pay homage to the 47,000 Canadians who made the ultimate sacrifice, the tens of thousands wounded or taken prisoner, and the hundreds of thousands who

#### Statements by Members

returned home unscathed, at least physically, after having done their duty. Tyler and Raiya do not understand the significance of VE Day and other such days yet, but they will.

I invite all hon. members of the House and all Canadians to pause tomorrow and any day to thank all of those who guarantee our freedom and the freedom of all Canadians, like Tyler and Raiya.

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[Translation]

#### NATIONAL MENTAL HEALTH WEEK

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, this week is the 64th National Mental Health Week. Like physical health, mental health is part of the well-being of every Canadian, and over the years, it may be good or bad.

Life is not easy and there are many obstacles along the way. However, no problem is too small because everyone experiences an emotional reaction to events. These problems cause tension, which is not ideal for making the best decisions.

That is why it is important to talk about our problems with our loved ones or through a telephone hotline. People want to talk about their suffering. They want to give it a name. They want the other person to acknowledge their suffering. They want to express it.

For that, we have to give people the opportunity to express themselves and not necessarily give them advice, but just listen. We have to trust those people. They are capable of making their own decisions. It is enough to just be there, not say a word and just listen, because being able to talk about the problem reduces anxiety by half. Talking releases emotions and allows people to achieve a better mental balance.

Let us take the time to listen to one another.

Thank you Tel-Aide Saguenay Lac Saint-Jean for being there.

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[English]

#### TAXATION

**Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC):** Mr. Speaker, the leader of the Liberal Party plans to replace our government's family tax cut with a family tax hike. He admits he will take away the tax-free savings account expansion and take away income splitting for families. The Liberals are ideologically opposed to lower taxes and, if given the chance, will raise taxes on middle-class seniors, middle-class workers and middle-class small businesses.

Our Conservative government has delivered low taxes and benefits directly to families. The Liberals want high taxes and huge debt. Canadians know that it is our Conservative government that they can count on to lower taxes for the middle class.

*Statements by Members***ALBERTA ELECTION**

**Mr. Dennis Bevington (Northwest Territories, NDP):** Mr. Speaker, I would like to take this opportunity on behalf of the people of the Northwest Territories to congratulate Rachel Notley and the NDP on their election victory as a strong, stable, majority government for Alberta.

The people of the NWT have a special relationship with Albertans. We regularly travel, trade, play and work in Alberta. Edmonton is our city for medical services, post-secondary education and all manner of supply and services. The NWT and Alberta share an ecosystem with northern Alberta included in the Mackenzie River watershed. Northerners, including my parents, came from Alberta.

I salute the premier-elect and her Notley crew for running a marvellous campaign full of trust and change. Northerners will look forward to working with this new, exciting government. I am sure she will continue the productive relationship between Alberta and the NWT.

\* \* \*

● (1410)

**TAXATION**

**Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC):** Mr. Speaker, our government created the family tax cut and universal child care benefit to ensure that every Canadian family with children will have money in their pockets. Canadian families, including those in my riding of Etobicoke—Lakeshore, are further ahead because of our universal child care benefit.

Now the Liberals want to take that away. Instead of a family tax cut, the leader of the Liberal Party wants to introduce a family tax hike. He wants high taxes and huge government debt. This does not help the middle class.

Only our Conservative has a plan that will help middle-class Canadians keep money in their pockets.

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**SPECIAL AWARDS**

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, I rise today to honour two residents of Victoria county who have been recently recognized on the international scene: Dr. Ron Stewart and Leon Dubinsky.

Dr. Ron Stewart, from my hometown, was recently awarded the James O. Page/Journal of Emergency Medical Services Award. He is the first physician outside the United States to receive that award. This award recognizes individuals who exhibit drive and a tenacious effort to develop improved emergency medical service systems.

Our good family friend, Leon Dubinsky, has also been recognized. A Holocaust memorial observance held in Sydney paid tribute to Leon's song *We Rise Again*, which he composed in 1985. Dubinsky was presented the March of the Living Canada award.

Year after year, Leon's song is sung by Canadian participants of the March of the Living, a program that brings students together from all over the world to Poland to study the history of the Holocaust. Uncle Newman would be proud.

I ask all my colleagues to join me in congratulating Leon Dubinsky and Dr. Ron Stewart on their worldly accomplishments.

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**TAXATION**

**Mr. Mark Adler (York Centre, CPC):** Mr. Speaker, the Liberal leader's high-tax plan for the middle class just does not make any sense. The Liberal leader admits there will be a \$2 billion hole. He also admitted that he would have to raise taxes on people earning less than \$60,000 a year by cancelling their expanded tax-free savings accounts.

Economists also say that his proposed tax increases will not raise the money necessary to fund his expensive schemes. His numbers just do not add up. The only way to make the numbers work will be higher taxes on the middle class by taking away the tax-free savings accounts entirely and income splitting for seniors.

Canadians know that on this side of the House will protect middle-class incomes, while the Liberals will tax middle-class incomes.

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[Translation]

**ALBERTA ELECTION**

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, four years ago I was privileged to have my constituents in Chambly—Borduas choose me to represent them. Fifty-five other Quebec colleagues were also given this privilege. Together with our colleagues from across Canada, we became the official opposition.

People called it the "orange wave". This wave is a state of mind, a desire for change expressed by Canadians. They want to do politics differently and to elect people just like them who talk about issues that affect real people.

This week it was Alberta's turn to catch the orange wave. Just as we have done, the newly elected NDP members in Alberta will bring the kind of fresh ideas our political discourse so badly needs.

The winds of change are blowing. Next October, Canadians across the country will be able to join the movement and elect a government in their own image. I dare say that it will be an NDP government.

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[English]

**TAXATION**

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, our government is cutting taxes for hard-working middle-class Canadians with our family tax cut and the universal child care benefit.

Our low-tax plan for families in Selkirk—Interlake is working. We are ensuring that 100% of families with kids benefit with almost \$2,000 back in their pockets for each child who is in preschool and \$720 per child from ages 6 to 17.

The Liberal leader confirmed that he would take this all away and introduce a family tax hike. We know this because there is a \$2 billion hole in his plan, and the only way he can find that money is to raise taxes on Canadians. The Liberal leader will need to cancel income splitting for seniors and take away the tax-free savings accounts entirely.

Canadians can trust our government to ensure that never happens. The Liberal leader needs to get his head out of his deficit hole.

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## ORAL QUESTIONS

• (1415)

[English]

### ETHICS

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, there is another shocking revelation in the Senate scandal today. According to an RCMP court document made public, the Prime Minister's Office played a "key role" in altering and falsifying the 2013 audit of Mike Duffy's expenses.

Will the Prime Minister confirm that his office intervened directly to change and falsify the findings of the audit into the expenses of Conservative Senator Mike Duffy?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, questions with respect to a Senate audit are best addressed by the Senate. We have been providing, and will continue to provide, assistance to the Crown in its case against Mr. Duffy.

This matter is before the courts, so it would be inappropriate to comment any further.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, let me quote the RCMP corporal who conducted the investigation, "we've learned that PMO has had a lot of communication with the diverse senators who were involved in these committees and sub-committees".

Does the Prime Minister deny that officials in his office secretly discussed the Deloitte audit with Conservative senators before it was completed, on May 7, 2013?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, I just answered that question. Again, questions with respect to a Senate audit are best addressed by the Senate. However, as we have been doing right from the beginning, we will continue to provide assistance to the Crown in its case against Mr. Duffy.

The Leader of the Opposition could certainly provide assistance to the taxpayers of Canada if he would encourage the 68 members of his caucus who owe over \$2 million to the Canadian taxpayers to pay that back. That would be wonderful. He could start by showing leadership by reimbursing the Canadian taxpayers the \$400,000 he

owes them in illegal funding for an office that was illegal in Montreal.

[Translation]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the RCMP is unequivocal. The RCMP told the courts that the report had made its way to the Prime Minister's Office during the investigation. Again I quote: "The report...had made its ways to the PMO...and...revisions, what they wanted to have written in the report, was done".

Can the Prime Minister tell us why his office doctored the details of that audit report? What are they trying to hide? Who are they trying to protect?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, I already answered that question. The matter is before the courts. It would be inappropriate to comment any further.

However, there are other questions. For example, why did the member for Chicoutimi—Le Fjord funnel resources intended for his riding to an illegal office in Montreal? I hope the member will do the right thing and pay the people of his riding back that \$30,000.

[English]

I hope he will do the right thing and refund the \$30,000 he owes them.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, on February 7, 2013, Nigel Wright, the Prime Minister's Chief of Staff, wrote in an email to his colleagues in the Prime Minister's Office, "Mike is very pleased with this so it will give us a little bit of time if [Conservative senator David Tkachuk] can pull it off". Pull what off? Obviously rewriting the report. They know it as well as we do.

This is pure Richard Nixon. The Duffygate coverup was orchestrated right in the Prime Minister's Office. That is what these RCMP court documents prove. Why will the Prime Minister not answer?

• (1420)

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, I have already answered that question.

What is also before us right now is the fact that there are some 68 members of the NDP caucus who owe over \$2.7 million to the Canadian taxpayer, plus interest, for illegal offices in Montreal. There are also another 23 members of the NDP caucus who illegally spent over \$1 million in inappropriate mailings. That is a party that accepted illegally \$350,000 worth of union donations, and in contravention to the rules of this chamber has a union member working in the Leader of the Opposition's office doing partisan work. He ought to repay the money he owes taxpayers.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the email from the Prime Minister's chief of staff went on to say that:

A purpose of this is to put Mike in a different bucket and to prevent him from going squirrely in a bunch of weekend panel shows.

*Oral Questions*

Will the Prime Minister now finally acknowledge that his office has been directly implicated in a deliberate attempt at obstruction of justice?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, what an absolutely ridiculous question from the Leader of the Opposition. What the reality is here is that this is in front of the courts, and we will let the courts do their work.

At the same time, the NDP could show some leadership by reimbursing the Canadian taxpayer the millions of dollars it owes them. The member opposite, the Leader of the Opposition, owes over \$400,000 to the taxpayers of Canada, and 67 of his other members owe the rest. I suggest that they pay back the \$2.7 million they owe them.

[Translation]

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, the RCMP has shown that the Prime Minister's Office interfered in the audit of Mike Duffy's expenses to hide his wrongdoing.

Although his own office bent the rules to change the Duffy report, the Prime Minister never told the Senate auditor about it.

Was the Prime Minister one of the people who was not authorized to know the content of that report? Why did his office interfere in this audit?

[English]

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, this is before the courts, so we will allow the courts to do their job on this.

At the same time, I was wondering if the Liberals could help us in finding that \$40 million they owe Canadian taxpayers. I wonder if, while they were sitting around in the \$2-million home of the leader of the Liberal Party, at the kitchen table, trying to figure out how to relieve Canadians of their hard-earned tax dollars, they perhaps thought that a way of helping the middle class would be to find the \$40 million they stole from them. Perhaps they could start by doing that.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, yesterday the Minister of Justice outrageously referred to Alberta as "Albertastan", but it is his government that is being accused of Soviet-style tactics.

We now know that the PMO staff secretly tampered with a confidential Senate audit to get their comrade, Mike Duffy, out of trouble. Did the breach of confidentiality include a briefing for the Prime Minister?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, I have answered that question on a number of occasions. As we know, the case is in front of the courts, so I will allow the courts to do their work.

Again, I would ask the Liberals to help us out, and help all Canadians out, by helping us find that \$40 million they stole from Canadians.

At the same time, on this side of the House, we are doing our best to ensure that our economy continues to grow and that the real Canadian taxpayers have money in their pockets so that they can reinvest in their future and in their family's future. We will continue doing that for a long time to come.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, we know that Nigel Wright had Conservative Senator Irving Gerstein call Deloitte to tamper with the Duffy audit. As Bob Rae would put it, the Prime Minister would have us believe that he was like the piano player in the brothel, completely oblivious to what was going on upstairs, and we all know how the Prime Minister likes to play the piano.

Will the Prime Minister now admit that he ordered his staff to tamper with the Duffy audit?

• (1425)

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, this is hardly a time to be reminding the people of Ontario about Bob Rae, because Ontarians remember what Bob Rae did to their economy. They remember the billions of dollars of deficits, the high taxes, and the millions of people who were unemployed. They remember the Rae days. They do not want to go back to that. They are going to do everything to make sure that they do not.

Instead, they have a government on this side of the House that is focusing on the economy and on putting more money in their pockets so they can invest in their future and their family's future. We will continue to do that for a long time to come, because it is the right thing for Canada and for Canadians.

[Translation]

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, on this side of the House we focus on government affairs. The Prime Minister's Office seemed much more concerned about Senate affairs than government affairs.

Corporal Jollette revealed that the Prime Minister's Office communicated frequently with a number of senators involved in Senate committees. It just so happens that these senators were discussing the content of the Deloitte report on the expenses of three senators.

Can the Prime Minister explain why his office was so interested in the Deloitte report?

[English]

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, I have answered that question.

Imagine this member of Parliament getting up and asking a question about accountability. This is a member of Parliament who was given resources by the taxpayers to use for her riding, and the member instead used it in an illegal office in Montreal. The member owes the taxpayers \$30,000, and that does not include interest, which is compounding every single day. I would encourage her, for her residents and for her riding, to pay it back.

*Oral Questions*

[Translation]

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, where I come from, when someone does not answer the question, we say it is because they have something to hide.

The Prime Minister's Office received the Deloitte report on the inappropriate expenses of several senators, according to Mr. O'Brien, but this report was confidential, which means that it is intended for a limited number of people.

Who in the Prime Minister's Office had access to the report before it was officially tabled in the Senate committee?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, I have already answered that question. This case is before the court, and it would be inappropriate for me to comment.

Unfortunately for that member, she used nearly \$30,000 intended for her riding for an illegal office in Montreal. I hope she will do the right thing and repay the taxpayers in her riding immediately.

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, let us review what we know. According to the RCMP, the office of the Prime Minister of Canada was involved in a scheme to manipulate the findings of an audit report regarding potentially fraudulent claims of a Conservative senator, and yet the Conservatives continue to dodge and weave, stubbornly refusing to answer any questions about the involvement of the Prime Minister's key advisers or what the Prime Minister knew.

Will the Prime Minister at least confirm that in order to be able to keep using Mike Duffy as his key fundraiser, his staff orchestrated a cover-up?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Obviously, Mr. Speaker, I completely reject the member opposite's question, and I have answered the question, but let us bear in mind who is asking the question. This is a member who was singled out by the judges who were reviewing our boundaries as somebody who was trying to inappropriately influence the process. He was one of two members in this entire House who was singled out. The only other person singled out was another member of the NDP, for breaking the rules, so when it comes to ethics, this is certainly not a member who anybody in the House should ever take a lesson from, no one. He could help, though, by repaying the \$2.7 million.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, what a pitiful legacy for the member when we are dealing with allegations of corruption tied to the Prime Minister of the country—pitiful evasions.

The police have the emails from the chief of staff of the Prime Minister of this country outlining a strategy to manipulate a Senate report and to cover up a case of potential fraud. The RCMP says that they then contacted the key senators to pull off this scheme, and then the chief of staff wrote the \$90,000 cheque to make it go away.

When will the Prime Minister finally come clean about his involvement in the cover-up and the involvement of his key advisers?

● (1430)

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Again, Mr. Speaker, I have answered that question on a number of occasions.

Again, when it comes to ethics, let me quote from the judges who were reviewing our boundaries: “the first hint of what the Commission considers to be inappropriate involvement by a Member of Parliament in the electoral redistribution process”.

This member has the nerve to get up in the House and ask questions about ethics when he was doing one of the worst things any member of Parliament could do: try to influence judges reviewing our boundaries in his favour. He was probably worried, because he voted against the abolition of the gun registry, which he promised his constituents he would not. That is why he was trying to gerrymander his riding.

**Ms. Megan Leslie (Halifax, NDP):** So much scandal, so few answers, so much evasion, Mr. Speaker, we cannot keep up. Let us try the Minister for Democratic Reform about the integrity of our electoral laws.

Former Conservative minister Peter Penashue's official agent has been charged with violating the Canada Elections Act. Will the Minister for Democratic Reform please tell the House that he will introducing amendments to the Elections Act to crack down on Conservatives who break our electoral laws and who knowingly provide the Chief Electoral Officer with false information?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, that is obviously an affair between Elections Canada and Mr. Bowers. We will allow the process to unfold.

There are very clear rules that the NDP members themselves broke. We bring in the rules; they actually break the rules. This is the party that accepted, illegally, \$350,000 worth of union donations, against the rules. This is a party in which 68 members owe \$2.7 million. Another 23 members owe over \$1 million. This is a party convicted of robocalls.

Our Minister for Democratic Reform has brought in rules that will continue to make elections fair.

They will continue to break the rules.

**Des voix:** Oh, oh!

**The Speaker:** I will ask members to come to order while the member is answer the question.

\* \* \*

**EMPLOYMENT**

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, under the government, young Canadians are struggling. Too many of them are unable to get their first break and find a decent job. Instead of helping them, the Conservatives are breaking promises. Instead of spending money on youth employment programs that could get young people their first opportunities, they left \$30 million unspent.

*Oral Questions*

They certainly enjoy the photo-ops, and then they do not deliver. This is a betrayal of our young people. Why are the Conservatives padding their bottom line with broken promises to young people?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, I am pleased to confirm to the House that our department has come in under budget.

The NDP judges success by how much taxpayer money it can shovel blindly out the door. We judge success by the number of young people we can help employ.

The Canada apprentice grant is one example. We gave out half a million Canada apprentice grants, including to Nina Widmer, who was able to graduate debt free, win the national skills competition, and open her own masonry business. We are proud of Nina, and we are proud of the hundreds of thousands of other young people we have helped get apprenticeships.

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, there is a pattern here with the Conservatives. From veterans to the unemployed, they make big promises and then they break them. The Conservatives committed funds to help immigrants get their credentials recognized, to help Canadians living with disabilities find the right opportunities for employment, and to help adults struggling with literacy and a lack of basic skills. They made the photo-op commitments, and then they did not spend the money.

Why do the Conservatives continually abandon the most vulnerable Canadians?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, the member mentions the issue of foreign credentials recognition.

We acknowledge that there are many newcomers who come with skills, professions, and trades that do not get recognized. That is why we have partnered with the private sector to issue foreign credential recognition loans, partly funded by the private sector, that help these newcomers get trained, tested, and licensed to work in their fields.

I am happy to report that the results are an over 40% increase in employment among those who participated and a less than 3% default rate on those loans. That is results for newcomers, and we are going to continue to deliver those results.

• (1435)

[*Translation*]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, the Conservatives' promises are no better than their empty policies.

With the youth unemployment rate at twice the national average, young Canadians need that first job more than ever. Instead of helping them, the Conservatives sent almost \$100 million back to the treasury, and \$30 million of that was earmarked for youth desperately looking for a first job.

Why abandon young people when they really need us?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, the New Democrats and the Liberals gauge success by the amount of taxpayers' money they can spend irresponsibly.

We gauge success by the achievements of the young people we help.

[*English*]

For example, I am going to read the quote from Nina Widmer, who said:

I was able to go through school because of all the grants without any debt. It was amazing.

She has now started her own stone masonry business. She is debt free. Along with hundreds of thousands of other young apprentices, she is making her way in this country.

[*Translation*]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, the Conservatives' achievement is the nearly 15% youth unemployment rate, and that is not a success story.

Parliament approved \$100 million to help Canadians find jobs. That money would have improved the lives of immigrants who need help getting their credentials recognized, people with disabilities, young people who need a first work experience and adults who need to learn to read and write. However, the Conservatives chose to send the money back to the treasury.

Why did the Conservatives fail all these Canadians?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, we gauge our success by the results obtained by our youth. We gave out almost 500,000 apprenticeship grants to help youth become certified to practise specialized trades that are in demand. These young people have now become workers with skills that will help them contribute to our economy. That is how we have been able to create 1.2 million new jobs. We will stay the course.

\* \* \*

[*English*]

**TAXATION**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the late Jim Flaherty dismissed income splitting for the wealthy as too expensive and fundamentally unfair. Unfair, because it provides nothing to a single mom at the poverty line, but it gives \$2,000 to families with incomes of over a quarter of a million dollars.

If we could trade that unfairness for a better plan, one that is being acclaimed as powerful, progressive, fair, transparent and efficient, one that fights poverty and improves middle-class incomes, why would we not make that trade? Jim Flaherty would have.

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, the Liberals admit that they would raise taxes on almost half of families with kids by scrapping the income split. That is how many benefit from income splitting: almost half of families with kids.

However, why should we believe that they would not get rid of income splitting for seniors if they are opposing the principle of income splitting for families? In fact, when asked that question, the former Liberal leader, current Heritage critic, said of income splitting for seniors, "...it is not our priority. It would be very, very costly".

That sounds like the same rhetoric they are using to justify raising taxes on families. Seniors cannot trust the Liberals.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, now the government is taking its financial advice from a guy who once said that a payoff to Mike Duffy was an honourable thing to do.

A better plan is bolstering Canada's middle class. We can do that by cutting their tax rate right across the board to save middle-class families billions of dollars. A better plan is one clean, simple, tax-free child benefit, one that is progressive and fair, providing more support to every middle-class family and all those working so hard just to get there.

Why is the Conservative government so against fundamental fairness?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, income splitting does provide fairness. It gives the same treatment in households where one spouse earns more than the other as it does to a household where the two spouses earn the same amount of money.

The Liberals are opposed in principle to all forms of income splitting. That is why they voted against pension splitting when it was first brought in. It is why their former leader openly opposed it and has not retracted that. Now they expect, on the eve of an election, that seniors are going to believe them when they claim that they have changed their mind. Seniors are smarter than that. They will not trust the Liberals. They will not be tricked.

\* \* \*

●(1440)

#### EMPLOYMENT

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, the government has clawed back billions of dollars that could have helped seniors, persons with disabilities and students. What the Conservatives did not claw back was the \$750 million on those self-serving TV ads.

Do members know who is going to be able to watch the TV ads? It will be the 375,000 unemployed young Canadians, because they do not have to get up to go to work the next day, thanks to the Conservative government.

Another \$90 million, including money for youth employment strategies, is gone under the current government. What young people want are jobs, not state propaganda.

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, our plan of trade, tax cuts and training has helped create 1.2 million net new jobs for Canadians of all ages.

The member mentioned advertising. We did advertise the Canada apprentice loan, and already over 6,000 young people have taken out

those loans in order to help with the cost of in-class study to get their apprenticeship done and their journeyman ticket and go out into high-demand jobs.

We have had over half a million apprenticeship grants go out in addition to those loans. These are creating jobs in the trades, and that is the future that we are going to create.

\* \* \*

[Translation]

#### CITIZENSHIP AND IMMIGRATION

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, francophone communities outside Quebec need francophone immigrants. Currently, only 2% of immigrants outside Quebec speak French even though the minimum quota is 4%.

The Commissioner of Official Languages reported that the Conservatives have closed regional offices and reduced funding for immigrants. Minority communities have sounded the alarm because their future is at stake.

Will the Conservatives finally take the future of francophones in Canada seriously?

**Mr. Costas Menegakis (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, the minister was very clear about the 4% quota for francophone immigration outside Quebec. Our government has a plan to achieve that objective. We are already seeing results with the express entry program. We are taking the commissioner's recommendations into consideration.

[English]

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, francophone communities are in dire need of help, and they are sounding the alarm about their future. The official languages commissioner is also concerned. It is clear that the Conservatives' cuts to services that support francophone immigration outside Quebec could threaten the vitality of these communities.

When will the minister take the future of francophone communities across the country seriously and give them the support that they need?

**Mr. Costas Menegakis (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, we were very clear about our goal of 4% for francophone immigration outside of Quebec. Our government has a road map to get there and we are already seeing the results from express entry. We are taking note of the commissioner's and others' recommendations. I might add that when we brought in the road map for linguistic duality, which indeed helps minority communities across the country, the NDP and that member voted against it.

*Oral Questions***ABORIGINAL AFFAIRS**

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, once again the current government refused to uphold the fundamental rights of indigenous peoples as every single member of the Conservative caucus voted against the bill put forward by my colleague, Bill C-641. This important bill would have enshrined the principles of the UN Declaration on the Rights of Indigenous Peoples into Canadian law. However, by rejecting this bill, the government missed another opportunity to engage in genuine partnership with first nations, Métis and Inuit.

Why is the current government yet again refusing to respect the rights of indigenous peoples in Canada?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, this is a baseless and totally false charge of the NDP, simply for political grandstanding and political reasons.

The fact of the matter is that this government is the one that amended the Canadian Human Rights Act in order to ensure that people on reserve have the same rights as all Canadians. She and they voted against it. In addition, we improved the matrimonial property rights on reserves, and they also voted against it. They should stop the grandstanding.

•(1445)

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, the question before Parliament last night was not a matter of left against right, but right against wrong. [Translation]

My bill received a great deal of support from many municipalities and organizations across Canada. Nevertheless, the Conservatives, including the Minister of Aboriginal Affairs, chose to ignore that Canada-wide consensus and vote against my bill.

How can the minister justify abandoning aboriginal peoples yet again by refusing to recognize their most basic rights?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, it is strange to see a member rise in the House of Commons and argue that the Canadian Constitution and the Canadian Charter of Rights and Freedoms do not protect aboriginal rights in Canada. That is utter nonsense.

The fact is that the UN Declaration on the Rights of Indigenous Peoples was endorsed by Canada as a blueprint that we respect but that is nevertheless subject to Canadian law. If the NDP wants to make Parliament's decisions subject to veto by a particular group, that is not okay.

\* \* \*

[English]

**PUBLIC SAFETY**

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, our government and many people in Edmonton and elsewhere were disappointed to learn earlier today that convicted terrorist Omar Ahmed Khadr has been released from prison today on the streets of Edmonton. *The Globe and Mail* described this individual as having been raised to be a terrorist, which is not surprising since the members of his entire family are proudly admitted terrorists.

Can the Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness update the House on this ongoing situation?

**Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, we are in fact disappointed with today's decision and regret that a convicted terrorist has been allowed back into Canadian society without having served his full sentence. Omar Ahmed Khadr pleaded guilty to heinous crimes, including the murder of American army medic, Sergeant Christopher Speer, and he has admitted that his ideology has not changed.

While the Liberal leader refused to rule out special compensation for this convicted terrorist and the NDP actively tries to force Canadian taxpayers to compensate him, we believe that the real victims of crime, not the perpetrators, are the ones who deserve compensation.

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, speaking of victims of crime, sexual assault is a devastating crime and one of the most difficult to prosecute.

Survivors deserve to be treated with the utmost respect and dignity. However, the DNA collection kits provided by the RCMP are badly out of date. They often use painful and obsolete techniques, and even worse, they risk DNA evidence degradation.

A new kit has been developed, but the RCMP will not say when they will distribute it. Will the minister make this a priority? Will the government expedite the distribution of new DNA collection kits to help professionals across Canada? This is a matter of justice.

**Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, as you know it is on this side of the House that the Conservative government has continuously supported providing resources to the RCMP and funding. We have done it through crime prevention measures to keep communities safe. Of course, any crime that is against any Canadian citizen is a horrific crime, especially those of a sexual nature. I just want to thank the RCMP for being able to work in this situation to be able to solve these most heinous crimes.

[Translation]

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, what matters most to victims of sexual assault is getting justice. However, we have learned that existing rape kits, which are distributed by the RCMP, are outdated and no longer meet forensic standards. We know that a new kit is being produced right now, but we have no idea when it will be available.

Can the minister tell us when this new kit will be distributed?



*Oral Questions*

[English]

**Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, again it is on this side of the House that we have continuously funded the RCMP to ensure that they have the resources necessary to keep Canadians safe. In fact, it is this government that raised and invested more funding into the RCMP seven times since 2006. The opposition party has said no to each of those increases.

Budget 2015 increases our funding to national security agencies by \$300 million, and most important, it is this Conservative government that brought in the victims bill of rights to stand up and make sure that victims have a voice in the criminal justice system.

\* \* \*

• (1450)

[Translation]

**CONSUMER PROTECTION**

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, under the Conservatives, things are definitely about to get a lot more expensive.

Canadians will soon be saddled with all kinds of new bank fees. Banks are going to start charging us to make our mortgage payments, student loans payments and credit card payments. Canadians are sick and tired of paying to pay.

Is the minister going to allow these billionaire banks to continue to pick Canadians' pockets?

[English]

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, we are the only party that has consistently stood up for consumers by lowering taxes and putting more money back into their pockets.

Unlike the Liberal Party and the New Democratic Party that would raise taxes on middle-class consumers, our government has reduced taxes for the middle class. Our government has taken action to improve low-cost bank accounts and expand no-cost bank options for more than seven million Canadians. We introduced the debit and the credit card code of conduct. Shamefully, the opposition parties vote against all these measures that help middle-class consumers.

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, let us be fair. First, that much-vaunted code of conduct is a voluntary code of conduct.

The big five banks have all said that in a few weeks, middle-class Canadians will face more pay-to-pay fees, and these are even worse than the ones the NDP forced the government to act upon last year. This is a basic issue of fairness. Does the minister really think it is fair that banks charge their customers a fee just to make a mortgage payment, a credit card payment, a student loan payment?

Where is the minister's backbone? Why is he letting the banks get away with it?

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, our party is the only party that has consistently brought forward legislation that would support middle-class consumers. We

have lowered taxes for consumers, making Canada the lowest tax regime in the last 50 years right now, unlike the Liberals and the NDP. They would raise taxes on those same consumers, on the middle-class consumers. They would raise taxes on middle-class seniors. They would raise taxes on middle-class families.

That is the reason Canadians understand that this Conservative Party is the party they want to support.

\* \* \*

**STATUS OF WOMEN**

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, a new report from Catalyst Canada paints a disturbing picture for Canadian women. The report found that Canadian women who are doing the same work earn \$8,000 less than men. The gap is double the global average of \$4,000. This gap has serious consequences for women, their families and the Canadian economy.

Does the Minister of Status of Women think it is fair that women get paid less for equal work? Why is she doing nothing to close the pay gap?

**Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC):** Mr. Speaker, the best way to close the pay gap is to make sure women have great jobs. That is what this government is focused on, making sure that Canadian women have access to board opportunities, making sure women have access to skilled professional trades, making sure women have access to absolutely great jobs that pay well.

We are focused on creating jobs. In fact, we have created 1.2 million jobs since the downturn of the recession. Why do the Liberals never support anything we do to make sure women have jobs in this country?

\* \* \*

[Translation]

**FOREIGN AFFAIRS**

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, over 200 artists from Quebec have signed a letter from playwright Michel Marc Bouchard asking the Prime Minister to personally intervene in the Raif Badawi case. Mr. Badawi's only crime was defending freedom of expression, human rights and gender equality.

The Prime Minister boasts about having a principled foreign policy, and yet he remains completely silent on this matter.

Will he finally do what we have been asking him to do for months now and personally intervene in Mr. Badawi's case?

*Oral Questions**[English]*

**Hon. Rob Nicholson (Minister of Foreign Affairs, CPC):** Mr. Speaker, far from remaining silent, we regularly and publicly have stated Canada's strong objections to the imprisonment and punishment of Raif Badawi and will do so again today. Canada considers the punishment of this individual to be a violation of human dignity. We continue to call for clemency in his case. We have made representations to Saudi Arabia's ambassador here in Ottawa and Canada's ambassador in Saudi Arabia. We have also registered our government's concerns with the Government of Saudi Arabia, and this will continue going forward until clemency is granted.

\* \* \*

• (1455)

**THE ENVIRONMENT**

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, the plan to bury radioactive waste in southern Ontario right next to the Great Lakes is now in the hands of the Minister of the Environment. Communities on both sides of the international border, representing millions of people, have expressed serious concerns with the process. They are worried about the potential impact of radiation and the Great Lakes together side by side. No other alternatives were even considered. Many people feel they were not adequately consulted, including municipalities and the U.S. Congress.

Will the minister require a further study of alternatives and consultations with affected communities on this very serious matter?

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I appreciate the member's question. We are committed to a strong, independent environmental assessment process that protects Canada's environment and promotes responsible resource development. The Canadian Nuclear Safety Commission is tasked with ensuring that nuclear projects are safe for Canadians and safe for the environment. We will review the joint review panel report before making any decisions on this file.

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*[Translation]***QUEBEC BRIDGE**

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, the Conservatives' semblance of willingness to fix the Quebec Bridge is a political mirage. After 10 years they still have not found a solution.

However, the NDP has proposed an initiative that was well received by mayors Labeaume and Lehouillier. The mayors and the people of the Quebec City region understand that CN will not do anything unless it is forced.

Will the minister support out proposal?

**Mr. Jacques Gourde (Parliamentary Secretary to the Prime Minister, for Official Languages and for the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, our Conservative government is the only government to take real action on repainting the Quebec Bridge. The NDP's proposal is the real political mirage.

The public thinks it is fair and reasonable that our plan to repaint the Quebec Bridge requires CN to pay its share.

*[English]***TAXATION**

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, families in my riding of Oakville are very pleased with our government's plan to put more money back in their pockets to be spent on their priorities. This is why we introduced the enhanced universal child care benefit and the family tax cut.

Could the Minister of Employment and Social Development please give this House an update on how we can ensure all Canadian families with children will benefit from our plan?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, the family tax cut or income splitting will help almost half of families with kids. We support income splitting because it gives tax fairness to those families.

The Liberals oppose the principle of income splitting for families, so logically, they oppose it for seniors. They voted against income splitting for seniors. Their former leader, the current heritage critic, spoke out against pension splitting for seniors. However, now, just before an election, the Liberals want seniors to believe that they have changed their minds. They have a multi-billion dollar hole in their plan. We know that they are going to reach into seniors' pockets to fill that hole.

\* \* \*

*[Translation]***CITIZENSHIP AND IMMIGRATION**

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the commissioner's report points out that the Liberals' objective of having 4.4% of francophone immigrants settle outside Quebec by 2008 was pushed back to 2023 by the Conservatives. The Conservatives have shut down regional offices, abolished the destination Canada and the francophone significant benefit programs, and have reallocated \$120 million to purposes other than francophone immigration. In short, they have dismantled the francophone immigration promotion programs.

To fix this mess, the minister promised that he would fix the express entry system. When will he do so? Will he keep a promise for once?

*[English]*

**Mr. Costas Menegakis (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, as I said earlier, we have been very clear about our goal of 4% for francophone immigration outside of Quebec. Our government has a road map to get there. We are already seeing results from express entry. We have taken note of the commissioner's other recommendations.

The road map for linguistic duality that our government brought in in 2008 was renewed again for five years in 2013 and provides for over \$1.1 billion to promote official languages in minority communities.

Unfortunately, the Liberals say one thing when they stand up to ask questions, but they vote differently when programs like that come to a vote.

\* \* \*

[Translation]

#### FOREIGN AFFAIRS

**Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP):** Mr. Speaker, three vigils are being held today and tomorrow to mark the anniversary of Raif Badawi's sentencing.

It has been a year since Mr. Badawi was sentenced to 1,000 lashes for blogging about social issues. More than 200 prominent Quebecers are calling on the Prime Minister to intensify diplomatic efforts so that Mr. Badawi may finally rejoin his family in Sherbrooke. We have heard enough excuses.

Is the Prime Minister prepared to personally call for the release of Raif Badawi?

• (1500)

[English]

**Hon. Rob Nicholson (Minister of Foreign Affairs, CPC):** Mr. Speaker, we have registered our government's concerns with the Government of Saudi Arabia. We do this on a regular basis, and we will continue with that going forward until clemency is granted.

We maintain an ongoing dialogue with Saudi Arabia on a number of issues, including all aspects of human rights, and we will continue to do so.

\* \* \*

#### TAXATION

**Mr. Lawrence Toet (Elmwood—Transcona, CPC):** Mr. Speaker, our Prime Minister understands that small businesses are the backbone of the Canadian economy. Small businesses in my riding of Elmwood—Transcona know that the Conservative Party is the only party in the House that supports them. For instance, we introduced the small business job credit, lowering EI premiums for over 700,000 small businesses across Canada to help them create jobs.

Could the Minister of State for Finance please tell the House what new steps the government is taking to stand up for small businesses?

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, our government is proud to be cutting the small business tax rate to 9%. The Canadian Federation of Independent Business applauds this measure and gave the budget an A.

For a small business with a taxable income of \$500,000, this tax cut, and all of the tax relief that our government has brought forward, will result in a decrease in federal tax of nearly 50%. That is 50% that the business can then reinvest in creating jobs back into that business.

#### Oral Questions

However, the Liberal leader has said that if given the chance, he would kill jobs by reversing our small business tax rate.

\* \* \*

[Translation]

#### FOREIGN AFFAIRS

**Ms. Manon Perreault (Montcalm, Ind.):** Mr. Speaker, today marks the sad anniversary of Raif Badawi's sentencing. He is in jail simply for having an opinion. He is still sentenced to 1,000 lashes, which is an inhumane, archaic and barbaric sentence. By remaining silent, Canada is complicit in denying freedom of speech and opinion.

Can the government stop being concerned and honour Canadians by using diplomacy to ensure that Mr. Badawi is released and can rejoin his wife and children?

[English]

**Hon. Rob Nicholson (Minister of Foreign Affairs, CPC):** Mr. Speaker, we certainly have not been silent on this. We have regularly and publicly stated Canada's strong objection to the imprisonment and punishment of Mr. Badawi, and we are doing so again today. We consider the punishment of this man to be a violation of human dignity, and we continue to call for clemency in this case.

\* \* \*

[Translation]

#### INTERNATIONAL TRADE

**Ms. Manon Perreault (Montcalm, Ind.):** Mr. Speaker, in March, Maude Barlow, a former UN advisor, denounced the fact that the current government sacrificed our drinking water in order to promote its plan to make Canada an energy superpower. Canada has a responsibility to preserve our water because it is essential to our survival and the survival of biodiversity.

Has the government changed its laws to ensure that our fresh water is protected from the effects of the oil industry?

[English]

**Hon. Ed Fast (Minister of International Trade, CPC):** Mr. Speaker, nothing could be further from the truth. I remember back in 1988, those same individuals, the same party, were claiming that we were going to be sacrificing our sovereignty over fresh water. In fact, none of that happened.

Today, we are stronger as a country. Our economy is stronger. We have trade agreements with 43 different countries around the world. As we promote Canada's trade interests, we are focused on promoting the interests of our exporters, the interests of our investors and the interests of our consumers. We are very proud of our record on trade.

*Business of the House***BUSINESS OF THE HOUSE**

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, this has been a good week for Canadians in Alberta, as Albertans chose a strong, stable, majority NDP government under the leadership of premier-elect Rachel Notley. It is wonderful news for all Canadians.

NDP MLAs throughout Alberta will be getting right to work to serve Albertans, as NDP MPs serve Canadians right across the country. I actually knocked on doors in Alberta. In southern Alberta, as I spoke with Albertans, I heard they were as concerned with the federal Conservative agenda as they were with the provincial Conservative agenda.

My question for Thursday for my hon. colleague is simple. Are Conservatives hearing those voices, those concerns raised in Alberta and right across Canada about the government's meanspirited agenda, its emphasis on always helping the wealthiest of Canadians while cutting services to the middle class?

I will also ask my colleague, for the Thursday question, if the government is going to support the NDP legislation tomorrow to remove the GST on feminine hygiene products. It is long overdue, and many millions of Canadian families are asking the government to do just that. Will the government adjust, and will it take into consideration the message it has heard from Albertans and so many Canadians this week?

• (1505)

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I agree with the hon. member so far as his first statement is concerned, that this has been a good week for Canadians.

It has been, because today the House of Commons voted on a ways and means motion and introduced a budget bill that would reduce the small business tax rate from 9% to 7%, although the NDP voted against that this morning, and it brought in a family tax cut to bring fairness to families, except the NDP and the Liberals voted against that.

We also introduced, of course, expanded flexibility for seniors on their RRIFs and increased room for all Canadians on tax-free savings accounts. Unfortunately, the Liberals and NDP voted against it, but that does not matter, because we delivered, and Canadians will get to enjoy the benefits of that because of the vote we had today in this House.

It has indeed been a good week for all Canadians, certainly those who care about and want lower taxes.

[*Translation*]

After this statement, we will debate Bill C-52, the Safe and Accountable Rail Act, at report stage and third reading. This bill strengthens Canada's rail safety system, and I understand that all parties are interested in seeing this bill move forward quickly.

As I announced in the House yesterday, tomorrow shall be the third allotted day. Monday will be the fourth allotted day. Additionally, I am designating Monday as the day, pursuant to Standing Order 66(2), when we will conclude the debate on the eighth report of the Standing Committee on Finance.

On Tuesday morning, we will continue the debate on Bill C-52.

[*English*]

After question period today, we will consider Bill S-4, the digital privacy act, at report stage and second reading. This legislation would provide new protections for Canadians when they surf the web and shop online. These changes to protect Canadians' personal information are key elements of Digital Canada 150, our government's plan for Canada's digital future.

Starting on Wednesday, and for the remainder of next week, we will debate Bill C-59, economic action plan 2015 act, No. 1, which was introduced earlier today, as I already referenced.

This critical economic legislation would reduce taxes, including many of those I already spoke about, and deliver benefits to every Canadian family through the family tax cut; our enhancements to the universal child care benefit; encouraging savings with enhanced tax-free savings accounts; lowering the tax rates for small businesses; introducing the home accessibility tax credit, a very important improvement for seniors to help them stay in their homes for longer; and expanding compassionate leave provisions; and the list goes on and on.

As the hon. member said, it has been a very good week for Canadians, even though he opposes all of those measures.

Regrettably, the Liberal leader, earlier this week, announced that he would raise taxes for middle-class Canadians by replacing that very same family tax cut with a family tax hike, and despite this Liberal tax, the Liberal leader is discovering that budgets do not balance themselves. He has a \$2 billion hole in his plan. Canada cannot afford that kind of reckless, high-tax, deficit-building approach.

In voting against our tax cuts for families set out in the ways and means motion the House adopted—

**The Acting Speaker (Mr. Bruce Stanton):** Order. The hon. opposition House leader, on a point of order.

**Mr. Peter Julian:** Mr. Speaker, on a point of order, the government House leader knows full well, from the rulings the Speaker has made in the past in terms of the Thursday question, that the answer should be approximately the same length as the question. The question was quite short, and I think it is time for the government House leader to conclude. His answer is going far beyond the length of time that was taken for the question.

**The Acting Speaker (Mr. Bruce Stanton):** I see the hon. government House leader and the hon. member for Winnipeg North rising. Is it on the same point of order?

*Government Orders***GOVERNMENT ORDERS**

[English]

**SAFE AND ACCOUNTABLE RAIL ACT**

**Mr. Kevin Lamoureux:** Mr. Speaker, it is on the same point of order. I think if you were to look into questions and answers based on Thursdays from the past, you would find that they were much shorter, more succinct, and to the point. Reflecting on the answer being provided by the government House leader, we just witnessed that he went completely off topic, wanting to talk about what is a fair plan that the leader of Liberal Party was putting forward for Canadians. It is inappropriate because we do not get to ask questions and respond to what the government House leader is doing. The questions and answers that are normal on Thursday should go back to the way they were, and that was—

• (1510)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please.

I see the hon. government House leader rising. I am of the mind at this point that we are having the effect of actually prolonging the Thursday question even more. The opposition House leader has commented on a subject that has come up before. Indeed, the object of the Thursday question is to provide questions and then a response from the government House leader around the schedule that could be expected for the House in the weeks and in the period following. Indeed, we know that commentary has been allowed, and in fact, a measure of balance on each side, in terms of the time, is the expectation.

We do not time these things precisely, I must point out, but it is my view that the government House leader was wrapping up his comments and was pretty much in proportion, time-wise, to the opposition House leader. Of course, I could stand to be corrected on that, but it seemed to be about the same amount of time.

We will look to the government House leader to perhaps wrap up on the Thursday question, and then we will get on with the business of the House.

**Hon. Peter Van Loan:** Mr. Speaker, I will have to let the one procedural matter go. I cannot let it go without commenting on it. The notion that there has ever been a proportionality in answering this question is utterly absurd. In fact often the opposition would simply ask, “What are your business plans for the week?” If I am to answer in a similar amount of words, I guess I would have to say, “Well, we will debate legislation”. That is not a terribly meaningful way of answering that, so I will simply dismiss that with all the attention and credit it requires.

The items I was discussing, to which he took objection, were actually the items that we will be discussing in the week ahead, which is what he asked me about, so I am telling him.

The one we did today, which was the ways and means motion, lays the groundwork for the budget bill that we will be debating. It is part of our balanced budget, and of course, we have seen from the opposition parties their intention to scrap all those very good policies. I know they do not want Canadians to know about that; hence his interruption. That is what we will be debating. That is what we will be delivering to Canadians.

The House proceeded to the consideration of Bill C-52, An Act to amend the Canada Transportation Act and the Railway Safety Act, as reported with amendment from the committee.

**The Acting Speaker (Mr. Bruce Stanton):** There is one motion in amendment standing on the notice paper for the report stage of Bill C-52. The hon. member for Saanich—Gulf Islands has indicated to the Chair that she does not wish to proceed with her motion. Therefore, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

**Hon. Lisa Raitt (Minister of Transport, CPC)** moved that the bill be concurred in.

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

**Some hon. members:** Agreed.

(Motion agreed to)

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

**Some hon. members:** Agreed

**Hon. Lisa Raitt** moved that the bill be read the third time and passed.

**Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC):** Mr. Speaker, I am pleased to rise today to commence third reading of Bill C-52, the safe and accountable rail act, which seeks to amend both the Canada Transportation Act and the Railway Safety Act.

As parliamentary secretary to the Minister of Transport, I have the great privilege to be a member of the Standing Committee on Transport, Infrastructure and Communities and to have been able to take part in the study of this extremely important piece of legislation.

Before I speak to the important points raised during committee stage, I would like to take a few minutes to remind all members of this place of the important components of this legislation, beginning with the important amendments to the Canada Transportation Act.

As stated by the Minister of Transport at committee, the tragic Lac-Mégantic derailment has shown us that our liability and compensation regime for rail must be strengthened. The Montreal, Maine and Atlantic Railway only carried \$25 million in third-party liability insurance, which we now know is not nearly enough to cover the incredible magnitude of the resulting damage and loss of both life and property that night.

*Government Orders*

With this bill, railways would be required to hold a mandatory level of insurance based on the type and volume of dangerous goods they carry. These levels would range from \$25 million for short lines carrying limited or no dangerous goods to \$1 billion for railways carrying significant amounts of dangerous goods, namely CN and CP.

These mandatory insurance requirements have been set based on analysis of historical accident costs, taking into account the severity of past accidents involving certain goods. These requirements would make certain that a railway's insurance directly reflects the risk associated with its operations.

These insurance levels were determined to be adequate to cover the cost of the vast majority of potential accidents and, while a scenario of the magnitude of Lac-Mégantic is an extremely rare occurrence, we want to be certain that all costs in such a case would be recovered.

That is why a supplementary shipper-financed fund would be created to provide compensation above the railway's insurance for accidents involving crude oil and any other goods added through regulation.

In the event of a rail accident involving crude oil, railways would be automatically liable, without the need to prove fault or negligence, up to their insurance level, and that would happen immediately.

The bill provides that they would be liable for all actual damages, which includes damages to people, property, and the environment. There would be certain defences to this strict liability. A railway, for example, would not be held liable if the accident were a result of war, hostilities, or civil insurrection such as a terrorist act, as these occurrences are outside of the railway's control. If accident costs reached beyond the railway's mandatory insurance level, the supplementary fund would cover the remaining damages.

For the supplementary fund, we have included a broad definition of crude oil in recognition of the serious damage that all crude can cause if released. Even a less-volatile crude can have a grave impact on the environment and result in very high remediation costs.

The fund would be financed through a levy on shippers of \$1.65 per tonne of crude oil transported by federally regulated railways, indexed to inflation. The aim is to capitalize the fund to \$250 million, which is an amount that would provide substantial additional coverage for crude oil accidents above the insurance levels. Based on a reasonable projection of oil-by-rail traffic growth in the coming years, we have determined that, with the \$1.65 per tonne levy, we would reach that target in approximately five years.

That said, however, it is important to emphasize at this point that the \$250 million capitalization is a target and not a cap. The bill would allow the Minister of Transport to discontinue or reimpose the levy as necessary.

This means that the levy could continue longer than five years should oil-by-rail traffic grow at lower than expected rates. It also means that the fund could be capitalized to a different amount should that be considered appropriate.

●(1515)

Just to be clear. The fund will cover all costs above the railway's insurance and will not be capped. In the unlikely event that damages from a crude oil accident surpass both the railway's insurance level and the amount in the supplementary fund, the government's consolidated revenue fund would back up the compensation fund and would be repaid through the levy.

Bill C-52 also propose amendments to the Railway Safety Act, which would seek to further strengthen the oversight of Canada's rail safety regime in certain areas. These include the following: first, a new power for the Minister of Transport to order a company to take corrective measures should that company's implementation of its safety management system risk compromise safe railway operations; second, a new authority to regulate the sharing of information, records and documents from one party to another, other than the department, for example, from a railway company to a municipality; third, to broaden railway safety inspectors' powers to intervene in a more effective way with any person or entity, including companies, road authorities, and municipalities, to mitigate threats to safety; fourth, a broader power for the Minister of Transport to require a railway company, road authority, or municipality, to stop any activity that might constitute a threat to safe railway operations, to follow any procedures, or taking any corrective measures specified; and, finally, a cost reimbursement scheme for provinces and municipalities that respond to fires determined to be caused by a railway company's operation.

Part of Transport Canada's prevention strategy has been to ensure the department has an effective oversight regime. This means both ensuring that industry is in compliance with the various rules and regulations that govern them and also responding to changes in the risk environment.

Transport Canada continuously examines and monitors its resource levels to adjust and reallocate, as needed, to address emerging issues, trends and higher-risk issues.

Transport Canada has further enhanced railway safety in Canada by establishing the following new or amended regulations: grade crossings regulations; railway operating certificate regulations; railway safety management system regulations, 2015; transportation information regulations; and railway safety administrative monetary penalties regulations.

Allow me to refer back to the review of the bill at the committee stage.

*Government Orders*

The review of Bill C-52 provided the opportunity for the committee members to examine, in detail, the text of the bill, its purpose and objectives. Particular issues were raised and the hon. Minister of Transport provided some important clarifications, which bear repeating in the House today.

First, the minister assured committee members that no additional financial resources would be required for the implementation of these new proposed authorities and requirements. The department's operational budget was assessed and represents the level of resources adequate to carry out all of the projects and the priorities. Nonetheless, in the event additional funding is requirement, the government always has the ability to reallocate or request funding through the supplementary estimates.

Second, with regard to the supplementary shipper-financed fund, the minister made a number of important clarifications. The fund has been proposed, through Bill C-52, to provide substantial additional coverage for incidents involving crude oil. The fund would cover any damages that surpassed the railway's required minimum insurance coverage. To finance the fund, the government would introduce a levy of \$1.65 per tonne on shipments of crude oil transported by a federally regulated railway. The formula used to establish the levy would be based on a mid-range growth estimate of projected oil by rail. The supplementary shipper fund cannot apply retroactively for incidents that occur prior to the coming into force of the legislation.

As previously mentioned, the proposed supplementary fund would not be capped or cut off. Therefore, claims against the fund would not be limited. The fund would be capitalized to \$250 million. However, Bill C-52 would allow the Minister of Transport to suspend or reinstate the levy as would be necessary. This would ensure that the fund would be at the appropriate level to pay for damages in excess of railway insurance levels without holding excess capital unnecessarily.

• (1520)

The government modelled this compensation fund on the ship-source oil pollution fund in the marine mode. Levies for that fund were suspended once it had been capitalized. The fund has grown through interest over the past 40 years without the need for further levies. For the time being, the supplementary compensation fund will cover incidents involving crude oil.

However, the bill provides regulation-making authority to include other types of dangerous goods in the future. Moreover, Bill C-52 provides for a loan from the consolidated revenue fund if the resources in the fund have been exhausted. This loan would be subject to terms and conditions established by the Minister of Finance and would be repaid through the shipper levy.

Furthermore, this bill includes the authority to put in place a special levy on railways to help repay the CRF loan to ensure that liability continues to be shared appropriately in the event of a catastrophic accident. The funds would be supplementary to the newly proposed minimum liability insurance coverage for railway companies transporting dangerous goods.

The strengthened liability and compensation regime in the bill is in line with the modernized liability and compensation regime put

forward for pipelines in Bill C-46, as well as the regime for offshore oil and gas in Bill C-22, which received royal assent on February 26. This includes a provision that ensures that the strengthened regime for rail would not preclude any other regimes, including future regimes with higher limits of liability from being applied to a railway accident.

It is also important to highlight the clarification made by the Minister of Transport at committee regarding subclause 152.7(1) of the bill. Through this subclause, only a railway company that is involved in a crude oil accident through physical operation of a railway, for example, moving a train or responsibility for tracks or cars, would be held liable without regard to fault or negligence.

In the Canada Transportation Act the terms "operate" and "railway" are defined in section 87 of the act. They are defined in a physical sense, not a commercial sense. Therefore, a carrier that quotes a through-rate or interswitches with a railway company that later has an accident would not be considered involved in an accident. With this strengthened liability and compensation regime for rail, the minister clearly stated in committee that she was confident, and "we do have the ability to ensure that the polluter pays and that taxpayers don't have to incur costs".

The minister confirmed to committee members that where a crude oil accident was the result of an act of terrorism, the railway company would not be held automatically liable under our proposed legislation.

Finally, the committee discussed the cumbersome definition of "fatigue science" presently found in the Railway Safety Act. As stated by the minister, the definition included in the act is simply a definition of a term and does not add any implementation requirements toward the railway companies. By having the term predefined, it restricted the department's ability to enforce. Amendments to the act seek to remove the definition allowing the application instead of the new Railway Safety Management System Regulations, 2015, to fulfill its purpose of ensuring a company's safety management system includes mechanisms for applying the principles of fatigue science when scheduling the work of certain employees.

Following the Lac-Mégantic derailment, the Speech from the Throne in 2013 and the Auditor General of Canada's fall 2013 report, our government has worked to bring forward these amendments to strengthen railway safety in Canada and increase the industry's accountability. Within this process, consultation with our stakeholders, particularly on liability and compensation, was essential to achieve the results we see today in this bill. We are grateful for their collaboration, support and commitment to improve the safety and security of the railway system.

*Government Orders*

I urge all members to vote in favour of Bill C-52 so it can be referred to the other place as soon as possible.

• (1525)

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, I want to thank the member for Essex for providing some background on the development of the bill.

From 1965 to 1974, I worked on the Canadian National Railway in the signal department. Over that period of time, which is an awful long time ago to today, there has been a change in the maintenance of the track and most of the equipment. I can recall as boy my father was a section man. We could look down a track and see that it was completely level and the spacing between the rails was perfect. It was maintained to a very high degree. Today I do not see that.

In essence, we agree with the bill and the direction it goes in, but one of the things I found surprising, and it was illustrated to us by a couple of people from outside of the rail system, was the fact that tankers carrying chlorine were not part of this as well as some other very dangerous chemicals. I am very curious as to why it is only oil.

• (1530)

**Mr. Jeff Watson:** Mr. Speaker, I think all of us in the House would agree on this. The practice of using slow speed by railway companies is no substitute for proper track maintenance. We expect rail companies to ensure that their property is well maintained in that way.

When it comes to the regime that has been instituted with respect to liability and compensation contained in Bill C-52, we did extensive consultations. One of the things that we are grappling with as a recent phenomenon has been the tremendous growth in the transport of crude oil by rail. By crude, I mean the many different forms, including the highly-flammable Bakken formation oil as well. That was the particular dangerous good involved in the tragic Lac-Mégantic derailment. We wanted to ensure we had an adequate regime for that.

The member will know that the bill does contain a provision in it for the regime to be expanded at any point in the future to deal with other dangerous goods, should that be determined necessary.

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, I want to go back to some of the comments my colleague made. We sit together on committee. I want to remind Canadians about a few things in the bill and the context within which it is situated.

The first context, and the first important point to remind Canadians of, is that on April 23 at committee, I asked the minister 10 consecutive times to come clean with Canadians with respect to the budget at Transport Canada in the estimates this year. Now the member will get up and say that those are not the real numbers, that the Conservatives rely on what the officials say. However, the reality is that the government calls the shots, and everybody knows it. Departments are allocated their resources, and everybody knows it.

Point one is that the budget at Transport Canada was cut 11% percent this year, or \$202 million. Canadians should remember that when the Conservative government talks about rail safety. That is 11% in one department. More money was spent last year, \$42 million, on economic action plan advertising, with \$33 million on rail safety. That is point number one to remember.

Point two is that the bill was rushed through committee. It was a Conservative-dominated committee with two meetings. Here is what the major witnesses said when I asked if they were consulted.

Phil Benson, Teamsters, said, “As far as I know, not at all”.

Robert Taylor, CP, said, “We got an answer when we saw the legislation”.

James Beardsley, Marsh Canada, said, “the answer I got was that it was not made available to them”, which is the briefing he provided.

Could the member explain those two points please? How does he expect people to do better with rail safety when the budget has been slashed 11%. Also, the top sectors in the country were not consulted.

**Mr. Jeff Watson:** Mr. Speaker, I only wish there were more facts involved in that particular intervention.

As the member will know if he studies the estimates, investments in front-line safety in every single mode of transport are up this year. That is in marine, rail, air safety, every single mode.

The department has suggested what resources it needs. Obviously, that is what the main estimates are for. There are also supplementary estimates should it become clear that the department needs additional resources to carry out its mandate.

Make no mistake that Bill C-52 is the product of extensive consultations, particularly when it comes to the liability and compensation regimes. We have heard from the railway companies that they would rather not have strict liability insurance. They do not want the strict measures that are in this particular bill. I would expect that from the railway companies. That is fair enough; they can take that position. The government, though, after that consultation and after listening to their position has determined that they will face tougher insurance levels, that there will be strict liability and therefore we will not have to prove their claims in court up to the maximum level of their liability.

Shippers also will share in that particular liability and compensation regime. They did not want to do that either, but we know that is the right way to go. Canadians support us in enhancing our system.



*Government Orders*

•(1535)

**Mr. Bernard Trottier (Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie, CPC):** Mr. Speaker, I spent a lot of time working around the edges of the railroad industry in my past, and I understand. Many of the members opposite alluded to the fact that it is a continental industry, the United States and Canada. The rolling stock, crews and all kinds of equipment go across the border. It is an integrated industry.

I would like my colleague to expand on what the United States is doing. How do the Canadian regulations with respect to the shipper pays levy, as well as the compensation and liability regime, compare to what the United States is doing? To what extent were there discussions with the United States to make sure there were some similarities between our regimes?

**Mr. Jeff Watson:** Mr. Speaker, that is an important question.

With respect to an industry that has tremendous integration, as we can imagine, these railway locomotives and their rolling stock travel across the border and back many times carrying all kinds of goods and services to keep our economies moving. What is important in terms of an integrated approach is on the regulatory side, the way we look at design specifications, for example, for the new robust tankers that will replace the old DOT-111s, and ultimately the CPC-1232s in carrying crude oil, strong standards that are united to deal with the issue of these tanker cars that move back and forth.

Our liability and compensation regimes are different, though. For example, in the United States, if there is a railway accident involving dangerous goods, the government or any other party would have to go to court to prove their claims against a railway company. We just do not think that is the right approach.

What we have adopted after consultations with important stakeholders is an approach where we have both shared liability with railway companies and the shippers themselves. The railway companies will be required to carry strong levels of insurance, be they short-line or class 1 railways, and no provable claims against that. We do not have to go to court to prove a claim against that.

Should the costs of compensation exceed the railway company's insurance, we have the supplemental shippers fund that is not capped, but gives us strong room to grow to ensure that the polluter pays in the unfortunate case of an accident.

[*Translation*]

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I would like to thank the Parliamentary Secretary to the Minister of Transport for his speech. I agree with my colleague who spoke about problems related to inspections and replacing tracks, but I want to talk about the problems with the bill.

This bill contains several levels of minimum insurance coverage. As my colleague knows, I asked a question in committee pertaining mainly to class 1 railway companies. They must now have minimum insurance coverage of \$1 billion. However, we learned that these companies, including CN and CP, already had accident insurance coverage of over \$1.1 billion. They have perhaps \$1.5 billion in coverage.

I would like to ask the parliamentary secretary why the government agreed to a lower level of coverage than what the companies are already paying now.

•(1540)

[*English*]

**Mr. Jeff Watson:** Mr. Speaker, that was not an established fact at committee. I know that the opposition members hinted that they thought that was the case. Officials who were repeatedly queried on that could not divulge, because of proprietary concerns, what level of insurance the railway companies carry.

We know from the Canadian Transportation Agency that the \$1 billion that is instituted is supportable in the current insurance market and that it will be strict liability. No one has to go to court to prove fault or negligence against a railway company in the case of an accident where dangerous goods are involved. That is a tremendous step forward when it comes to improving rail safety in this country.

[*Translation*]

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I am pleased to rise today to speak to Bill C-52 at third reading.

As the NDP transport critic and vice-chair of the Standing Committee on Transport, Infrastructure and Communities, I found it interesting to study this bill.

I agree with the Liberal member who said in his question that there was not enough consultation and perhaps not enough study. Indeed, the study period was relatively short for such an important bill.

Let me be clear: the NDP will support the bill. We believe that the polluter pays principle is important. Clearly, it was only after the Lac-Mégantic tragedy that the government finally decided to do something about rail safety. Unfortunately, it took a tragedy to finally spur the government to action, a tragedy that cost 47 people their lives, cost millions of dollars in damages and ruined many other lives.

It is sad that previous Liberal governments and the current government have been ignoring rail safety, the very principle of our rail system, ever since the Liberals privatized it. The problems only started when they privatized everything. They also left all the regulations, even inspections, up to the rail companies themselves. As we often say, the system that was implemented is based on self-regulation, and all the companies do their own audits and inspections. That is very clear.

This bill does have some very important points. As I have said from the beginning, we support the polluter pays principle. Obviously, it is not up to the public to pay for damages caused by the industry.

In the case of the Lac-Mégantic accident, MMA had only \$25 million in liability insurance. When I asked the minister and Transport Canada officials about the cost, I was not able to get any firm figures, since the numbers vary. Apparently, \$400 million has already been spent to repair damages. However, it could cost billions of dollars in the end. That is a huge amount of money.

*Government Orders*

Unfortunately, governments must pay because MMA filed for bankruptcy. The federal and the Quebec government had to spend money to repair the damage. When I refer to damage, I am also referring to the damage caused by the Conservative government for allowing self-regulation at a time when the rail transportation of crude oil has increased exponentially.

As for the budget, we see that there are gaps, and that has been raised many times. The government says it is taking action. However, there are budget cuts.

Let us look at just the office responsible for rail safety, the people who specifically look after implementing the system and ensuring that it is safe. We see that between 2010 and 2015, there were cuts of about 20%. Those cuts affected the people who look after rail safety and ensure the safety of Canadians. That shows that the government does not have its priorities straight.

We agree that there must be minimum liability levels. Once again, we deplore the fact that this was not the case earlier and that a company like MMA, with respect to Lac-Mégantic, only had \$25 million in insurance coverage.

This bill is certainly a step in the right direction. It contains various categories for many rail companies, which will have to have minimum insurance levels based on the volume of dangerous goods shipped via its rail lines.

However, I asked the parliamentary secretary a question about the calculations. We wanted to know whether the amount established was sufficient. I gave the example of class 1 railways, like CN and CP, that have minimum insurance coverage of \$1 billion. We learned from the news or other studies that these companies probably already had insurance coverage in excess of \$1 billion.

• (1545)

Ultimately, the government reduced the amount of insurance coverage companies are required to have, when the purpose of the bill is to increase it.

Unfortunately, as the parliamentary secretary mentioned, when we asked questions in committee we were told that the information belonged to the railway companies. However, the government has the power to get that information. The Conservatives are the ones who did the study regarding the insurance limit, and once again, they are not being transparent. That is shameful.

The parliamentary secretary spoke about the additional powers granted to inspectors and to the minister in cases where tracks are not safe. That makes me think about what happened in Gogama, in northern Ontario, where other derailments occurred. They happened despite the events at Lac-Mégantic and the public outcry in regard to the dangers associated with the transportation of dangerous goods by rail. I think that, like me, any Canadians who saw the pictures were shocked to find out that this type of derailment is still happening. Cars carrying crude oil are still exploding.

The parliamentary secretary told us that the government introduced new standards for the DOT-111 cars, which will eventually be replaced. However, it will be another 10 years before they are all replaced. These cars will still be on our tracks for another 10 years, even though the Transportation Safety Board described

them as dangerous and unsafe. The TSB said that these cars were essentially the same as the old DOT-111 cars that exploded in Lac-Mégantic.

This concern has to be taken into consideration. I am asking the government to set a deadline and show more leadership when it comes to protecting the public.

There is also the issue of inspectors and self-inspection. The system that was put in place and that has the support of the Liberals allows companies to do their own inspections before potentially, maybe, submitting them to Transport Canada for inspection.

The Auditor General issued a scathing report on rail safety. He said that the inspectors overseeing the safety of the system did not fulfill their obligations and that all they do is look at the rail company's plans without ensuring that they effectively protect the environment and the public. That is a problem.

Another problem with inspectors has existed for a long time. Let us take the example of the derailments in Gogama, which caused explosions. According to the TSB's preliminary report, the condition of the rails was definitely a factor. When we talk about inspectors, the government responds that the companies do the inspections themselves and that it expects companies to properly inspect their rails. However, it is careless to rely on self-inspection.

Before the events in Lac-Mégantic in 2013, there were 116 rail inspectors at Transport Canada. After the events in Lac-Mégantic, there were 117. The government added just one inspector. It seems that others were hired, but they are not officially assigned to rail safety.

What is certain is that all of the workers and unions in this sector agree that there is a problem with inspection. Even the rail companies, as well as the Railway Association of Canada, report the same problem. It is clear that there is a problem.

The government, meanwhile, is addressing this problem by making budget cuts. It makes no sense.

• (1550)

How can the government say that it cares about the safety of Canadians and then turn around and cut the budgets of those who conduct inspections and make sure that laws are in place and that the companies are complying with them, as well as ensuring that the rail lines themselves are safe? It is shameful.

As for the polluter pays principle, I applaud the fact that the bill provides for a compensation fund. Unfortunately, as my NDP colleague mentioned in his question, this fund applies only to accidents or disasters involving crude oil.

*Government Orders*

One question was raised by the Federation of Canadian Municipalities, the Canadian Association of Fire Chiefs and a number of other stakeholders who appeared before the committee. Why did the government not include other dangerous goods? The Conservatives were asked that question today. They replied that they were studying the issue and they would see. Do we need to have another accident like the one in Lac-Mégantic for them to realize that something has to be done? It is important to raise this issue. This is not about demagoguery. The government did indeed act after the Lac-Mégantic tragedy. The government has even said that this bill resulted from that tragedy. Why not also include a compensation fund for other dangerous materials, since that is a concern and the municipalities and first responders are asking for it?

Let us come back to firefighters. A question about training was raised by the Canadian Association of Fire Chiefs, a question that we had also brought forward. Yes, the aim is to prevent accidents. However, prevention depends on inspection. As we know, the government is failing in that regard. What must be done to prevent an accident, or at least to respond quickly when one does occur? How can we ensure that first responders are properly trained and that they have the resources they need?

Unfortunately, this bill is silent on that issue. This is what firefighters, among others, proposed: since there is already a fund in place—once again, I am referring to the fund established from fees paid by oil companies—why not use it to pay for training to ensure that first responders, firefighters and those who respond to emergencies receive the training they need?

This problem has been flagged and it is a serious problem, especially because we are shipping more and more dangerous goods by rail. Furthermore, based on the Lac-Mégantic accident and what is happening in the United States, for example, we can say goods are increasingly dangerous and there is less and less information about these goods. That was clearly the case in Lac-Mégantic. The dangerous nature of the goods being moved was underestimated.

Legislators or those who implement the regulations are not well informed. What about the people who respond to emergencies? What we are asking for is simple. We are asking for a fund to cover training for first responders such as firefighters and paramedics. How do we intervene in this situation? The Lac-Mégantic accident opened our eyes.

The bill could have covered this, but unfortunately it does not. There is still work to be done. As I said, the NDP will support the bill and hopes that it will pass quickly. However, there is still a lot of work to be done.

In committee, an amendment did not pass. It dealt with fatigue, or what is known as fatigue management.

• (1555)

[*English*]

The bill actually repeals a clause, repeals the definition of fatigue management, and we do not understand why. Just to be clear, what the definition basically said is that we have to base fatigue management on science, and what we are doing here is actually repealing that definition.

I asked the minister and officials, and the answer was not satisfactory. I think we want to make sure that we have a base, and our base was the definition of fatigue management, fatigue science. It was scientifically based, but unfortunately, that was deleted.

[*Translation*]

We will have to take a close look at the regulations. Unfortunately, from our perspective, the approach was going in the wrong direction.

We did not anticipate one of the other consequences that witnesses told us about in committee, namely the fact that some companies do not do the same kind of transportation for dangerous goods. Some companies transfer oil and other goods in certain places. These companies, therefore, do not transport goods the same way and do not have the same problems. This concern was raised, and I asked questions about it. I was told that these cases can be addressed through regulations. I asked the question clearly and openly, and now we will have to follow up. We have to figure out how to treat companies that do not pose the same risk but that transport goods that are, by definition, dangerous. We have heard that the costs can be quite high for these small companies. We are talking about smaller companies that might not have the means to pay for this insurance. As legislators, we need to trust Transport Canada and its officials to take that into consideration. We will keep a close eye on this issue.

There is something else we are disappointed in. It was already mentioned, and that is the fact that the environment has been put on the back burner. Certain priorities have been set out in the bill. We agree that municipalities or individuals who are victims of accidents should be compensated and helped at any cost. There is no doubt that they must be compensated. However, the wording of the bill puts long-term environmental impacts in the back seat. The request cannot necessarily come from an individual who says he can no longer use a certain natural resource for the long term, a river for example, and that his rights have been violated in the long term. According to the current wording of the bill, only the government can go after the railways and say that they caused damage that undermines the long-term use of the environment. However, we know that in fact the government does not do that. It will not go after a company for damages. We are a bit surprised to see that this aspect does not have the same priority in the bill. We would have preferred it to be considered on an equal footing.

I would like to come back to the question that we asked ourselves: why did the government not go further in terms of coverage for dangerous materials? The reason I am mentioning this again is that the committee was almost unanimous in this regard. Firefighters, the Federation of Canadian Municipalities and the oil industry all asked us why the bill only went after oil companies or crude oil and why it did not provide for a fund that would cover other dangerous goods, since we know that other dangerous materials are being transported on our tracks. I asked the government that question. I was told that the matter was being looked into. I would have liked a more concrete answer.

*Government Orders*

However, we did obtain a more concrete answer in regard to what the Parliamentary Secretary to the Minister of Transport said about the cars. He said that there will be new standards for the cars. However, the United States announced that a braking system will be implemented and gave us a timeline.

The government established a deadline of 10 years for oil cars, but as we said, we would like that deadline to be shorter. The United States said that the braking system for cars was a safer system. Unfortunately, the government did not give a deadline in that regard in its announcement.

• (1600)

The government told us that it was looking into the issue, but it has not even set a deadline yet.

We need to learn from our mistakes. Twenty years ago, the Transportation Safety Board of Canada said that the DOT-111 cars were dangerous. The Liberal government did not do anything about it. The federal government did not do anything either and the Lac-Mégantic tragedy occurred. We need to think about that. The government needs to act quickly, show some leadership and protect the public.

**Mr. Bernard Trottier (Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie, CPC):** Mr. Speaker, I listened carefully to the speech by the NDP's transport critic. I must correct a few of the member's statements. When he said that the government has reduced the number of inspectors, he knows that that is untrue. We have been significantly increasing the number of rail inspectors for many years now.

The changes regarding the regulations for insurance and money for cleanup in the event of an accident are significant. The member himself said he wanted these changes to be put in place quickly. This is an important bill that he will surely support. Will he tell us that today?

We are at third reading stage of this bill. We had a lot of debates at second reading and we even studied the bill in committee. The Canadian—or even North American—public expects us to bring in a modern compensation and insurance regime, especially in light of the serious issues associated with transporting dangerous goods.

Can he promise that they will stop prolonging the debate? We are having an important debate today, and there is no use repeating the same arguments for weeks. At the end of today can we put an end to this debate and hold a vote?

**Mr. Hoang Mai:** Mr. Speaker, I thank the Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie for his question.

I would like to start by correcting the statements he made in his preamble. He said that I said the government had reduced the number of inspectors and that that was false. That is not what I said. I said that the budget for inspectors had been cut. If the Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie were to look at the budget, he would see that it shrank by nearly 20% from 2010 to 2015.

As to the number of inspectors, I said that had gone up. That is true. In 2013, before Lac-Mégantic, there were 116 inspectors. After

Lac-Mégantic, after all of the debates we had, after all of the inspection problems and all of the people's concerns, how many more inspectors are there? Just one. So yes, that is an increase, but when the number of inspectors goes up by just one, I think that is a bit of a problem.

In answer to his question, I am not the one who controls the House. Personally, I feel that this bill is important. I supported it. Still, it is important to have a debate. I know that the government is in the habit of imposing time allocation, and has done so 95 or 96 times now because it does not like hearing what we have to say. If my colleague had listened to my speeches, he would know that I talked about the amendments and the topics we discussed in committee. This is the first time I am doing this because this is the first time we have seen the committee's report. I think it is important to have dialogue and debate.

• (1605)

[*English*]

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, I am a little astounded hearing the comments of the Parliamentary Secretary to the Minister of Foreign Affairs. Clearly, he does not know what is happening with this bill and he has not been present in committee.

One of the big problems with this bill, 57 pages and counting, is what the Conservative majority in committee did. It circumscribed all of the expert witnesses to two meetings. That is two meetings of two hours each. In the most important single meeting that was held on this question of liability insurance, the four principal witnesses who testified, a large railroad, a short-haul railroad, the number one insurance company in the railway insurance business and the Teamsters union, all said there is a series of unintended consequences in the bill, a series of shortfalls, misgivings and changes in the statute that are going to lead to serious litigation. No legal opinions were rendered.

What we really have is a situation where the government is rushing this legislation through pursuant to the Lac-Mégantic tragedy, but, more importantly, with the deadline of the election in the fall very much in its window.

Maybe my colleague from the NDP can comment and try to help us divine why it is the government, instead of doing its homework with proper stakeholder outreach and negotiation to improve this bill, is so incredibly pigheaded about rushing this through in a form that is not complete.

**Mr. Hoang Mai:** Mr. Speaker, it is always a pleasure to sit with the member on the transport committee. Yes, as he knows we did not have a lot of meetings on this bill at committee.

It is true that consultation is important, but what was mostly of concern to me is the lack of information. Again, when I asked about the liability issue, especially how much the class 1 railways were paying, we did not get the answer. It is hard for us as legislators to be able to say whether this bill is the best one in terms of how it was drafted, why it was drafted or why those provisions are there. Some of the comments we made were not acceptable for the other side.

*Government Orders*

There could have been more consultation and discussion, but at the end of the day I do agree that this bill is a step in the right direction. It talked about polluter pay and we have always said that Canadians should not have to pay for this, but there will be unintended consequences. What I was saying in my speech is that we will have to follow up. We will have to ensure that this legislation and the regulations that come with it are correct.

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague from Brossard—La Prairie for his speech.

One of the troubling aspects of this bill—because the devil is often in the details—is the removal of the definition of “fatigue science” that already appears in the Railway Safety Act. People need to be aware of the fact that in all areas of transportation, managing fatigue is an ongoing challenge. For instance, when it comes to highway transportation, the provinces have legislated the issue. Truck drivers have to keep log books.

On the rail side, obviously, given that trains operate day and night and cover very long distances, this is a very serious problem, and the NDP brought forward an amendment in committee that, unfortunately, was ruled out of order by the chair.

I wonder if my colleague could talk about the problem of fatigue and what the witnesses reported regarding the risks associated with removing that definition.

**Mr. Hoang Mai:** Mr. Speaker, I want to thank my colleague from Beauport—Limoilou for his question, because that is indeed a very important issue. Unfortunately, we did not talk about it enough, but the fact that this bill removes the definition of fatigue management is important.

A definition already existed. Essentially, it said that fatigue management must be based on science. It is rather perplexing that the Conservatives removed it. We were told that it was a little too complicated and resulted in criteria that were too strict. However, that science exists in other industries and other sectors, such as aviation safety and road safety. This science exists. We do not find it overly complicated. On the contrary, when we talk about managing fatigue, it is about safety, not just the safety of employees, but also that of the public. It is therefore appalling that the government decided to do this.

• (1610)

[*English*]

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, it is a pleasure to be here this afternoon to join this debate. This is a profoundly important issue for Canadians. It has been lingering now for almost a decade under the Conservatives and has been brought to the fore as a result of the tragedy at Lac-Mégantic, where so many vulnerable and innocent people either lost their lives or their families were touched. In fact, the entire community was destroyed.

As a result of that wake-up call, the government has been reacting. What we are here to debate today is frankly how it has been reacting. What we have seen is a series of dribs and drabs and slow release of technical and regulatory amendments and bills. This is part of that process.

First, it is important to step back for a second and remind Canadians what this bill is really all about, which is changing the way we establish minimum insurance levels for railway companies that are regulated by the federal government. Second, it intends to create a new compensation fund that would cover damages that arise from railway accidents involving the transportation of not all but certain kinds of dangerous goods. That is what this bill is really all about.

When the Parliamentary Secretary to the Minister of Transport spoke a moment ago he mentioned that the government knows without a doubt that the amount of money that it is calling upon the industrial sector to make available in insurance and in this compensation fund is a sufficient amount of money. I would ask how he would know that. We asked the minister, the parliamentary secretary, the officials from Transport Canada, the Canadian Association of Petroleum Producers, the Railway Association of Canada, the Canadian Association of Fire Chiefs and beyond how much the tragedy at Lac-Mégantic has cost thus far. No answer is forthcoming.

The mayor of Lac-Mégantic told us that at minimum it was somewhere in the neighbourhood of \$500 million. That is half a billion for an accident in a smaller town. We were also told by the ecological experts that that amount of money would have been considerably higher had there not been a layer of natural clay in the subsoil in that area that prevented the seepage of fossil fuels into the aquifers below, which would have produced almost unquantifiable damages to the natural ecosystem in the region. Therefore, when the government states that it has the truth and the answer, that it knows that \$1 billion or \$1.5 billion is sufficient, I would ask this. What if, heaven forbid, an accident like the one that occurred at Lac-Mégantic occurred in downtown Toronto, Montreal, Edmonton, Ottawa or Vancouver? I think the government would be singing a very different tune.

I raise this straight up at the beginning of my remarks to illustrate the kind of obfuscation, subterfuge and unwillingness to come clean with Canadians that we have seen from the government on rail safety over the last several years. It is no surprise. The first fact for Canadians to remember is that this is the fifth Minister of Transport in eight years. That tells us that the current government's ministers of transport have been transiting through the department, whether upward, downward or out of cabinet. That indicates that the government has been putting in a number of individuals, not taking this portfolio seriously, not until of course this horrible tragedy at Lac-Mégantic happened upon all of us. That is important for us to remember.

The second fact that the government does not want made public but would rather deny, bob and weave, or create fictitious responses for, is that it is categorically and undeniable slashing funding. It is killing funding when it comes to rail safety. In fact, rail safety funding financing is down 20% over the last five years, year by year.

*Government Orders*

•(1615)

This year, for Canadians who follow these things, we are all being bombarded with obscene, unwarranted, unjustifiable advertising. Most recently it is the Prime Minister's own 24/7 channel, the vanity video channel he has that records him every week and broadcasts at considerable taxpayer expense. As they say in French, "c'est du jamais-vu au Canada". It has never been seen before. We know this year alone the government is spending \$42 million on economic action plan advertising. That is a number Canadians have a hard time getting their heads around, so let us juxtapose it in a meaningful way. There is \$42 million for economic action plan advertising and \$34 million for rail safety. There is \$42 million for advertising and \$34 million for rail safety. That is the priority of the Conservative regime.

What the Conservatives are doing by subterfuge, by stealth, by miscommunicating, by misleading Canadians, frankly, is they are trying to create an impression that they are on top of this profoundly important public safety issue called rail safety. They are not.

The Conservatives have been consistently and repeatedly warned, first by the Auditor General several years ago who came out and said in practical terms, that we agree with the notion of a safety management system, unlike the NDP, but as Ronald Reagan might have said, trust but verify.

It is the verification where the government as the regulator of a regulated sector is falling short, mostly falling short. The Conservatives cannot stand up and look constituents in the eyes and say that they have enough inspectors, because they do not. They cannot stand up and say that they have enough qualified inspectors, because they do not. They cannot stand up and tell us that they are properly trained and not coming primarily from the private sector that is regulated, because that is not true either. That is in fact where they are coming from.

There is a capacity problem inside Transport Canada. A department that is filled with good people, passionate, dedicated public servants, is being cash starved by a government spending \$42 million on economic action plan advertising. As a result, it is our view that the government is putting Canadians at risk. Do not take our word for it; take the word of the Auditor General.

VIA Rail in a three-year or four-year audit period was not audited once by Transport Canada. VIA Rail carries over four million passengers a year, and it was not audited once. The systems safety audit that ought to have been accomplished was not done once. In fact, the government's own numbers indicate it is only completing 25% of the audits they themselves say are necessary to keep rails safe.

It is absurd to hear senior members of the government claim that things are getting better and that they have made so much progress in these dribs and drabs releases. It is not true.

We have a problem; we have a cultural problem in the government. I hate to go back to this, but it is important because past behaviour often indicates a propensity for future behaviour.

There are at least five remaining front-line ministers in the government who were in Ontario when the Walkerton water crisis hit the province. When that crisis hit the province, they all stood up in

Ontario and used the same language we heard here today. "We can adjust based on the estimates with supplementary estimates." "It is the officials who tell us that is enough money to conduct rail safely in the country." These are the same buzzwords and the same sloganeering that we heard right after the Walkerton crisis, where people died and lots of people got sick.

•(1620)

In fact, in the report by Mr. Justice Dennis O'Connor, five or six of these front-line ministers were singled out as contributing to the Walkerton crisis. Why? They slashed the funding. There was not a sufficient number of water inspectors, just as there is not a sufficient number of qualified rail inspectors today. This is the same story.

One would think that the government would have learned from the terrible tragedy at Lac-Mégantic, but it has not. That is the context within which this bill has been brought to the House for third reading.

When the minister came to committee, I asked her not once, not twice, and I did this on purpose, I asked her ten consecutive times why she had cut the budget by 11% for Transport Canada, for a total of \$202 million cut from the budget. She denied it. I asked her again and again. Finally, she turned to her officials and said that they gave her the numbers, that it was their responsibility, and they said that is all the money they need. Nobody believes this. That is not how governments work. Budgets are allocated. The Treasury Board sits down with finance. The PMO overrules, agrees or disagrees, and the money is allocated.

We have a situation where these choices have been made at the highest levels of government. I asked her ten times, and ten times she denied it.

It is funny because the Parliamentary Budget Officer says that those are the numbers. The Library of Parliament's research says that those are numbers. We are hard-pressed to understand why the government will not come clean. Why will the government not just simply say that it is making a choice, that it is cutting the funding for Transport Canada and cutting rail safety by 20%?

When it comes to the testimony of the experts that we rely on in this place and who bring a perspective that is invaluable to improving legislation, not necessarily perfecting it, but certainly improving it, the Conservative majority on the committee brought the hammer down and said that there shall be no more than two meetings of two hours each. It is serious. We are talking about billions and billions of dollars of insurance coverage. My prediction is we are talking about billions of dollars in litigation that will follow this bill, because it was not thought through legally. The government said that there shall be two two-hour meetings.

*Government Orders*

When I pushed the four top witnesses on this very issue, they all admitted that, in fact, they had not been properly consulted at all. They had never had a chance to dialogue properly with the department. They had serious, profound questions about the insurance implications, the distributive effects, employment implications, trade competitiveness implications, and beyond. That is what has happened here.

As I said earlier, in my view, there is no greater responsibility of a government than to keep its citizens safe. Canadians today are rightly concerned about rail safety. They are very worried about rail safety, and it is not just the terrible Lac-Mégantic tragedy. We have had three major derailments in the province of Ontario in the last three months. There have been many more in the United States.

The Transportation Safety Board warned the government about the DOT-111 cars. The Transportation Safety Board looked at the northern Ontario accident and confirmed that the new standard brought by the government was not satisfactory. The government came out and said that it has a three-year phase-out and retrofit schedule for DOT-111s, which it knew was false, but it had to put something in the window, instead of slowing down, taking a bit of time and coming up with a better projection and a better plan for the phase-out of the cars that are dangerous.

• (1625)

That is just not the way it operates. The Conservatives had to say something to Canadians. They were really frightened of this file, so as a result they had to make an announcement, even though they know and were told by the number one company in the country that retrofits to these cars are technically impossible to do. The minister was told by her own advisory committee that it is technically impossible to do. The Conservatives announced it.

People are concerned. Recently, many of my caucus colleagues held a very public, large town hall in Toronto on rail safety. They have since written to the minister herself. They said that they are “worried about the massive increase in shipments of crude oil by train, up from 500 tank cars in 2009 to an estimated 110,000 tank cars in 2014”. We are reminded that the minister’s spending on rail safety, as I said, is down 20% since 2009-10. She cannot deny it. The numbers are there. “Northern Ontario”, they go on to say, “saw three derailments in less than a month between February and March”. They raised concerns about the accuracy of the current speed limits on trains routed through Toronto and for that matter, all urban centres in the country, whether trains with dangerous materials should be routed through highly populated neighbourhoods at all. Is that a discussion we are having here? Never.

Band-aid after band-aid after band-aid, image after image after image, rolled out of technical dribs and drabs has been the response to the wake-up call of Lac-Mégantic. It does not cut it. It is not good enough.

We have tried to work collaboratively with the government. I think there are many MPs on the government side themselves who are dissatisfied with this response, because they are feeling the heat from their own constituents, as they should, as we all should, because we have an obligation to get this better for Canadians.

It is hard for us to square a number of other technical parts of the bill which I want to turn to. One is that the parliamentary secretary got up and said, in fact quoting the minister, that they have been assured that there are no financial implications for the bill, no additional costs in bringing in a 59-page bill. Really?

I asked the director general of the Canadian Transportation Agency whether that was true, and she could not answer, because now one of the things the bill does is it actually takes away litigation and gives a new responsibility to the Canadian Transportation Agency to adjudicate, to decide on how much compensation should be paid if there is an accident if a claim is made by a municipality or province. They admitted in testimony that they are not qualified to do it. The director general of the Canadian Transportation Agency said that they will think it through later. They have to get it done. There is an election coming October 19. They have to get it done.

There is one technical gap. Another is related to a really important legal liability issue where the test as to who is responsible if there is a railway accident has been changed by one stroke of a pen. I want to finish with this, because I predict this is going to cause all kinds of problems. Now a railway company that operates a railway which is involved in a railway accident, simply involved, the problem with that is railways often pass goods on from one railway to another, so who is involved? Who will pay the compensation? Whose insurance company will indemnify for the cost? This is completely unclear.

The Conservatives were warned. They had legal opinions that told them this was a real problem going forward. They were told it would lead to difficulty getting insurance coverage and difficulty later on with litigation, but they ignored it. It was brought to them in committee by me, by others, by their technical experts.

It is unfortunate that we missed the opportunity to take the time we need to improve things for Canadians when it comes to rail safety, because we need our railways. They are a big part of the engine of the economy. I think right now we have an obligation to go back and build on this bill and get it better.

• (1630)

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, I listened intently to the member for Ottawa South, the critic for transportation for the Liberal Party. I did not once hear him explain why it is that the Liberal Party, when it was the government starting back in the 1990s initiated the deregulation, not only in the transportation industry, but in food inspection and other important areas where regulation is needed. I think we have come to learn that self-regulation by industries does not work.

I was hoping he might acknowledge that. The points he made about the flaws in the system, the weaknesses, the lack of action by the current government to actually respond to some of the serious problems that are being created on our railways, are absolutely true. However, I wonder if he would not acknowledge the fact that a lot of this originated with the decision by the previous Liberal government to deregulate and not actually respond to the transportation board’s claims that the DOT-111 rail cars were a problem.

*Government Orders*

**Mr. David McGuinty:** Mr. Speaker, this is a good opportunity for me to perhaps help the member understand a bit better how it works.

The safety management systems are supported by the Transportation Safety Board and by the Auditor General. The approach in a safety management system admits that there are at least two parties involved: there is a regulated sector and there is a regulator. The regulator is government. The regulated sector is the federally regulated railways.

There is a legitimate difference of view between the Liberal Party and the NDP. I admit it freely. We believe there is a role in the private sector to assume a certain amount of responsibility to achieve the highest level of safety possible. We believe, concomitantly, that there is a role for the regulator to ensure that regulated sector is in fact operating at the highest levels.

The NDP does not subscribe to this view. It believes, wrongly, in my view, that it should be hammering the private sector to a point where I think it would have a great bearing on its ability to operate and to remain competitive.

**Ms. Elizabeth May (Saenich—Gulf Islands, GP):** Mr. Speaker, as a regular train passenger, one becomes acquainted with what is on the freight, because freight takes precedence over passenger rail in this country. I tried to make a trip across Canada this past summer, only to find that the volume of fossil fuel travelling by freight delayed passenger rail by as much as six to seven hours a ride with different stations. It is a real shame because VIA Rail is an important part of our economy and we should be treating it a lot better.

In the bill we had a chance to put in something that is in the U.S. rail safety improvement act, which is called “positive train control”. It is the use of high-tech computer monitoring. We would be able to, through positive train control, if we installed it on trains, know if they were going too fast. We would know if their gears were not working. We would know if the brakes had come unhinged. There would be alarm bells ringing. Of course, we also have dangerously slashed the working crews on board freight. However, positive train control would give us much safer railways. I would ask my friend for his comments on this.

• (1635)

**Mr. David McGuinty:** Mr. Speaker, my good friend is correct. This is an obvious omission, not necessarily in this bill, but it was an obvious omission in the government's driblets-and-drabs response to the rail safety challenges we are facing.

I would say that she is actually right, as well, when it comes to the question of an adult conversation about the use of our tracks, who gets precedence, who does not get precedence, in terms of use of those railway tracks. Is it passengers? Is it merchandise? Is it goods?

In fact, I commend one of my colleagues from the NDP from Gaspé who brought a bill that at least is beginning the debate about what role VIA Rail should be playing, what role passengers should have versus merchandise and other goods being transported. That is an intelligent debate to have.

Unfortunately, we are not having that under the leadership of the government. It did not want to open it up and do the right thing. We are not talking about improving the system for five years or by the

next election. We really should be talking about improving the system for the next century.

**Mr. Bernard Trottier (Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie, CPC):** Mr. Speaker, the hon. member commented about driblets and drabs. There is something to be said for incrementalism. Incremental improvements are better than no improvements. My colleague on the opposite side, with the NDP, pointed out that there were certain things that government did not do over 13 long years. We are actually achieving some success with some of these regulatory changes.

The focus of this bill is liability and compensation. I know the member wanted to take us down the primrose path. He was talking about food safety and other unrelated items. However, let us talk about compensation and liability in the railroad industry, specifically for the smaller railroads that might not have enough insurance. That is important, so let us focus on that. Can the member admit that these are good, positive changes, and will he support that aspect of the bill?

Last week the Minister of Transport was in Washington and announced with Secretary Foxx important changes to the tank car standards, important changes that are achievable and realistic and that will bring about safety, because of the enormous increase in volume with respect to petrochemicals and petroleum products across the border.

Can the member comment on those two things we are doing to address rail safety?

**Mr. David McGuinty:** Mr. Speaker, I never said that this bill should be thrown out in its entirety. I have an obligation to point out for Canadians where its shortcomings are. There are some elements of this bill that are very positive indeed and that we support. In fact, we can take some credit collectively. That is how we work here, collectively, particularly at committee. There are some elements of the bill that are very strong.

However, it is important to remind Canadians that there are other shortfalls, and the chief one for us is the undeniable fact that the government is not properly resourcing its own department. The government cannot ask simply for liability to be increased on the railways if it is not doing its job with its regulatory responsibilities through inspections and audits. The government cannot do that. The system will collapse.

With respect to the minister being in Washington last week, I do not know why she went. She re-announced something from a year ago. It is going to be a 10-year phase-out for most of these cars. It is too bad she made the first announcement on the DOT-111 phase-out. Had she not done that and had she listened to the experts who actually manufacture these cars, we could have saved a considerable amount of time and made a quantum leap to the new cars that can be manufactured right now in the United States, and soon in Canada.



*Government Orders*

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, our rail-line industry is of critical importance. Winnipeg is one of the hub centres with massive CP and CN yards. A phenomenal amount of cargo of all natures goes through it.

This is one of the driving forces of our economy, and that is one reason it is important that when we bring in legislation, we get it right. Given the importance to the economy of getting it right, could the member provide some thoughts on how he sees legislation or regulation in the future playing a critical role in ensuring that our rail lines are safe, and as much as possible, efficient and worthy of travel?

•(1640)

**Mr. David McGuinty:** Mr. Speaker, it is easy. If they are prepared to exercise national leadership, and they are prepared to pull together all the parties that are involved that have a stake in improving the system, they can make some progress, and very quickly. It is not easy to actually convene them and find a way forward and get agreement, but it is easy to start the process. That did not happen here. They missed this opportunity.

We have to examine a few things.

Number one, the railway system in this country is as foundational as our electrical grid. We need it. We rely on it to move our goods. It is very much involved in success in wealth creation and particularly jobs in Canada.

Second, we have to have an adult conversation about the use of railways and our energy future. If the oil sands continue to expand the way they are, and we will see, based on oil prices, we will have a million barrels a day of excess capacity in nine years. That is if all the contemplated pipelines are built. There is going to be dramatic pressure on our railways to carry more oil. How are we going to deal with this? What are the consequences? What are the risks? The government does not want to have that conversation.

Those are the kinds of elements we should be bringing together to make sure, as we project outwards, which is our obligation here, that we get a better system that is safer and in which Canadians have more confidence.

Last, if the member thinks there is a disconnect between the water approach in Ontario and what has been happening here, he should go back and read Mr. Justice Dennis O'Connor's report on Walkerton. He will see very familiar language.

**Mr. Blaine Calkins (Wetaskiwin, CPC):** Mr. Speaker, I am truly honoured to rise in this place today to speak to this very important piece of legislation. I represent the great riding of Wetaskiwin, which has major rail lines in it, both CP and CN. Constituents in that large rural riding know the value railways have, and I take very seriously the importance of the safety of the operation of the railways in that riding.

Before I go on, I would like to advise that I will be sharing my time with the dapperly dressed member for Elgin—Middlesex—London, who will, I am sure, enlighten the chamber with his thoughts as well.

I rise today to speak in support of Bill C-52. It is a good bill. It is the safe and accountable rail act, which would reinforce the government's polluter pays principle for the rail sector.

The polluter pays principle holds industry accountable to Canadians and supports responsible resource development. It also reflects Canadians' expectations about making responsible parties pay the costs of the accidents they are responsible for.

The polluter pays principle is a key part of the modernization of the liability and compensation regime in other sectors, including the marine sector, the nuclear sector, pipelines, and offshore oil and gas. A number of those bills have already been brought before the House, where we have made exactly the same kinds of legislative changes when it comes to the polluter pays principle in dealing with absolute liability and so on.

In voting for this bill, parliamentarians will be supporting this important principle. This is our government's objective: to ensure that sufficient funds are available to compensate victims of railway accidents and to pay for cleanup costs in the event that those things may happen.

The polluter pays principle means, first, that railways pay the cost of accidents for which they are responsible. Therefore, we are proposing that each railway be required to hold a minimum amount of third-party liability insurance to cover the cost of an accident. This is a good thing. This would give a level of assurance to Canadians that their tax dollars would not be used when it comes to an accident, cleanup, or spill or any of the other damages that might be associated with a minimum level of liability. These minimum insurance levels would be established in the legislation so that they were clear and transparent and so that Canadians would know what they could expect.

With this approach, Canadians would be reassured in the wake of something like the Lac-Mégantic tragedy that railways would have enough insurance to cover these costs when accidents, unfortunately, may happen in the future.

These insurance levels are based on risk. It is an insurance program, and it will be based on risk, as any other real insurance program is. They were developed based on an analysis of rail accident cost data and the potential severity of incidents involving certain types of dangerous goods. The levels range from \$25 million to \$1 billion, based on the type and volume of dangerous goods the railway may carry. When the new regime comes into force one year after the bill's royal assent, railways that carry little or no dangerous goods will be required to carry \$25 million minimum in insurance.

Requirements for railways carrying higher amounts of specified dangerous goods, including crude oil, would be phased in over time. Initially, the railways would be required to carry either \$50 million or \$125 million of insurance coverage. One year later, those requirements would increase to \$100 million or \$250 million of coverage.

Railways moving substantial amounts of specified dangerous goods, such as our major national railways, CN and CP, would be required to carry a minimum of \$1 billion in liability insurance.

*Government Orders*

We have heard that some short lines may have difficulty adjusting to the enhanced insurance requirements or that the increased costs may affect their viability. However, as the Lac-Mégantic incident has shown us, accidents involving smaller railways carrying dangerous goods can result in catastrophic damages. It is for this reason that the government committed to hold railways more accountable through enhanced insurance requirements.

Phasing in the highest levels of insurance for short lines at \$100 million and \$250 million would help mitigate concerns and provide the railways required to hold these amounts with sufficient time to adjust. We do not expect that railways required to hold either \$25 million or \$1 billion in insurance would need additional time to adjust, so those levels would take effect immediately after the legislation comes into force. This is only fair.

Railways would have to notify the Canadian Transportation Agency of any changes affecting their insurance coverage. The agency could make inquiries to ensure compliance, and the insurance requirements would be enforceable through penalties of up to \$100,000 per violation. These measures would ensure that railways were properly insured for their operations.

Another important component of the bill is the polluter pays principle and its clearly established liability in this legislation for railways.

•(1645)

Under the bill, railways would be liable up to their minimum insurance level, without the need to prove fault or negligence—and I have to stress that, without the need to prove fault or negligence—for a railway accident involving crude oil or any other designated good.

As our 2013 Speech from the Throne commitment implied, the railway is not the only responsible party in a railway accident that involves goods such as crude oil. Our government committed to requiring both shippers and railways to carry additional insurance, so that they are also held accountable.

Shippers of dangerous goods like crude oil are a part of the polluter pays concept for the railway sector. This is because such goods have inherent characteristics that contribute to the severity of an accident.

Accordingly, the bill would provide for a mechanism to share liability for accidents more broadly between shippers of crude oil and railways. This would be done through a shipper-financed fund that would supplement a railway's insurance if and when necessary. The fund would be triggered once the cost of a crude oil-related railway accident exceeds a railway's insurance level.

The fund, combined with the insurance levels, would protect potential victims and pay for environmental cleanup and restoration. It would also reimburse governments for the cost of responding to a railway accident.

This two-tiered approach—the insurance and then the fund for any accidents that go over the insured amount—would provide a broad range of coverage for damages in the case of a crude oil railway accident. Higher insurance levels would ensure that railways have more resources available to pay for their liabilities. For accidents

involving crude oil, the fund would insure that all other damages and losses were compensated.

This regime would equally cover all actual loss or damage incurred, including damage to people, property, and the environment. The costs incurred in responding to the accident might also be claimed. In addition, the federal or provincial Crown may seek compensation for the impairment of non-use value of public resources.

We are focusing on crude oil because this is a dangerous product that is moved in large quantities by rail over long distances and is a particular concern for Canadians following the Lac-Mégantic tragedy. However, recognizing that other goods have characteristics that could also contribute to the severity of an accident, we have provided the option of adding other goods to the fund in the future by regulation.

Shippers of crude oil would contribute to the fund through a levy of \$1.65 per tonne shipped. This levy would apply to any shipment of crude oil carried by a federally regulated railway including a shipment originating from the United States or on a provincially regulated short line.

Capitalizing the fund to \$250 million initially would provide substantial additional coverage for crude oil accidents, but this is a notional amount and certainly not a cap on the fund. The bill would allow the minister to discontinue and reimpose a levy as necessary.

Based on a reasonable projection of oil-by-rail traffic growth in the coming years, we determined that a \$1.65 per tonne levy on rail shipments of crude oil would likely generate \$250 million for the fund in approximately five years. However, the bill provides flexibility for the levy to continue longer than five years should oil-by-rail traffic grow at lower than expected rates.

It is important to emphasize that. Regardless of the capitalization target, the fund would cover all rail accident costs above railway insurance. In the unlikely event that damages exceed the amount being held in the fund, the consolidated revenue fund would provide a loan to cover the shortfall and pay the remaining claims. Any loans from the consolidated revenue fund would be recouped from the industry through levies. These measures are also to reinforce the polluter pays principle.

As I conclude, I want to urge all members to think carefully about how they are going to vote on this piece of legislation. Canadians are counting on us to make a good decision on their behalf.

*Government Orders*

As we have seen, the accidents have happened in Lac-Mégantic and in my riding of Wetaskiwin, where there are so many communities right on the CP and CN lines. We start out in places like Millet and Wetaskiwin and go down through the Maskwacis area, through Ponoka, Lacombe, and Blackfalds, through Red Deer, and so on; and the CN line goes out in the eastern part through communities like Mirror, Gwynne, and so on. These are communities that are near railway crossings.

The railway traffic in Alberta has increased tremendously over the last number of years with the expansion of oil sands projects and the inability of some pipeline companies to get their projects approved. We have seen an increased dependency on rail for the movement of these items, so it is very important to reassure my constituents, and reassure not only Albertans but any people who have a rail line going through their community, that there will be the coverage available and it will not be at taxpayers' expense as it was with the absence of this legislation, unfortunately, as we saw at Lac-Mégantic.

This is very important legislation, and I encourage all colleagues to vote for it. While they may have criticisms of the bill, or they may want to play politics with this bill, in essence, it would be a sad commentary if we could not come to an agreement in the House that the bill, while it would never be perfect for 308 members, certainly is good enough to be passed into law before we rise for the summer.

• (1650)

[Translation]

**Mr. Tarik Brahmi (Saint-Jean, NDP):** Mr. Speaker, I listened to the remarks of the member across the way.

In the current context of deregulating rail transportation, the number of inspectors is not the only parameter to consider. Indeed, many of the inspection tasks are not done by Transport Canada inspectors, but by the railway employees.

Let us talk about Lac-Mégantic. When the shameful company Montreal, Maine & Atlantic was found at fault, the first thing that happened was that the employees in charge of inspecting the level crossings in Saint-Jean-sur-Richelieu, for example, were laid off. All that safety work came to an abrupt halt because those employees were no longer employed by the railway.

Even though we agree on this bill and on creating this fund, we wonder how this will resolve the problems associated with self-regulation and the fact that the safety guidelines are written by the railway companies and not by the inspectors.

[English]

**Mr. Blaine Calkins:** Mr. Speaker, I am not sure if the hon. member was making the case for nationalizing the railways or not, but that certainly would not be the position of the Conservative government.

The member talked about an unfortunate accident, but what he does not understand is that, in that particular case, because the company did not have insurance, it was immediately on the hook and had to lay off its inspection staff and other staff accordingly.

The bill has several clauses in it that would require companies to share the information with Transport Canada in a timely and

effective manner. However, had the bill been in place, a company like MMA would have had the insurance it needed to pay the damages and would not have gone through nearly the financial suffering it did, because it would have also had the fund on top of that. Now, that would not have prevented the accident from happening, but it would have prevented the incident the member is talking about, which would have allowed MMA to stay out of the financial trouble that it would have been in because it would have had insurance coverage that would have carried it through the duration of that particular disaster.

While the hon. member has a good point, his logic that got him to the point where is asking the question just does not hold water.

• (1655)

[Translation]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I have been an MP for four years. I have often seen how the Conservatives operate and the occasional collusion of the Liberals. These two parties like to join forces on certain issues. A recent example I have in mind is the anti-terrorist bill, which unfortunately passed at third reading here in the House. The Liberals and the Conservatives are also complicit in matters of deregulation, as my colleague from Saint-Jean pointed out.

In 1999, the Liberals went ahead with implementing complete deregulation and allowing self-regulation. Furthermore, it has taken 20 long years, under Liberal and Conservative governments, for the Transportation Safety Board to sound the alarm about the DOT-111 tank cars. In the end, those 20 years of neglect make for a truly pathetic track record.

Although the bill is not without merit, and we support it because it does take some preliminary steps to improve the situation, it does not address the problems of inspection and prevention. Furthermore, it removes the issue of fatigue management, which is an urgent and central problem.

What justification is there for eliminating fatigue management from the Railway Safety Act?

[English]

**Mr. Blaine Calkins:** Mr. Speaker, the hon. member finally got to his question dealing with fatigue. I got a little fatigued listening to him finally get to that particular point, but in all fairness, the question is a very serious one.

Anybody who drives a truck or flies on an airplane knows that pilots are subject to the rules about how long they can fly and truckers keep log books about how long they can be on the road.

The member would know that the proposed amendments in the bill would change the regulation-making power for safety management systems to add in the concept of employee fatigue management. Therefore, that is captured in the essence of this bill. The result would be that railway companies would be required to take into consideration the management of their employees' fatigue and include scheduling in their safety management system.

We are making progress on that, which is why all members of this House should support this bill.

*Government Orders*

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, I rise today in support of the safe and accountable rail act.

Following the tragic July 2013 accident at Lac-Mégantic, our government acted quickly to strengthen safety in Canada's rail and transport of dangerous goods systems. Our actions have been based on three fundamental elements of rail safety, which are prevention, preparedness and response, and liability and compensation. This bill relates to the third of those pillars, liability and compensation. Today, I would like to outline how this proposed legislation would strengthen our liability and compensation regime for federally regulated railways.

The events of Lac-Mégantic highlighted the importance of having a strong liability and compensation regime for rail, and adequate compensation available in the event of a major accident. In the 2013 Speech from the Throne, we committed to hold railways and shippers accountable. To act on this and to examine how to strengthen our regime, we undertook a comprehensive review, which included two rounds of extensive consultations with a wide range of stakeholders, including railways, shippers, provinces, the Federation of Canadian Municipalities, and the insurance industry.

Our objective has been to ensure there are sufficient resources to adequately compensate potential victims and pay for cleanup costs. Our aim is also to make sure that the polluters pay, so that the taxpayers do not shoulder the financial burden in the event of an accident. These key principles are also central to the liability and compensation regimes that are currently being updated in other modes and sectors, such as offshore oil and gas, marine tankers, and pipelines. This proposed legislation would achieve these goals by sharing liability for rail accidents between railways and the shippers of crude oil, clarifying liability to benefit claimants, making more resources available for compensation, and ensuring compliance with the new regime.

What we are proposing is a two-tier system similar to the approach taken for marine oil tankers. The first tier would enhance insurance for federally regulated railways by imposing risk-based mandatory minimum insurance requirements. The second tier would share accountability for rail accidents with shippers of certain dangerous goods through a supplementary compensation fund.

Let me get into some of the specifics of the first tier, enhanced railway insurance. The responsibility for railway accidents rests first with the railway. The bill would establish minimum mandatory insurance levels that are explicitly linked to risk. The Canadian Transportation Agency would assign railways to a minimum insurance level based on the type and volume of the specific dangerous goods they carry. The minimum mandatory insurance requirements take into account the potential severity of accidents. The requirements range from \$25 million for railways that carry few or no dangerous goods to \$1 billion for railways that transport significant volumes of dangerous goods. Insurance would cover the damages involving third party injury or loss of life, third party property damage, and the risk associated with a leak, pollution, or contamination.

The bill would also clarify the railway's liability for accidents involving crude oil. Railways would automatically be liable up to their insurance limit without having to prove fault or negligence, and

the railways would have to be operationally or physically involved in the accident in order to be held liable. This would give potential victims more certainty regarding their compensation claims, and it would protect taxpayers from having to cover the excess liability that we know can result from a catastrophic accident. For other accidents, liability would continue to be established through the courts, based on fault or negligence, as it is today.

I will turn to the second tier of the proposed new regime, which is the shipper-financed compensation fund. As I mentioned earlier, railway companies, through their insurance, would be the payers of the first resort for rail accidents. However, for accidents involving crude oil, any damages above the railway's liability limit would be covered by the fund. This fund would be financed by shippers through a levy of \$1.65 per tonne of crude oil carried by the federally regulated railway and deposited into a special account of the consolidated revenue fund.

● (1700)

Our focus on crude oil for the fund responds first and foremost to the concerns that were expressed in relation to the Lac-Mégantic incident. Clearly, Canadians are concerned about the growing volumes of oil being transported by rail across long distances and through many communities, a trend that is expected to continue. Our approach recognizes that this is a new and significant phenomenon and we need to have adequate measures in place to hold the industry accountable. However, in the future some other dangerous goods could be scoped into the fund through regulation.

The combination of the enhanced insurance requirements and the supplementary fund would provide sufficient resources to cover the vast majority of potential accidents. The fund would be the payer of last resort in the rare event of damages from a rail accident involving crude oil surpassing the railway's insurance level. Furthermore, should an accident be of such a magnitude to deplete the resources held in the compensation fund, the consolidated revenue fund would be called upon to act as a backstop. This would ensure that all damages resulting from a rail accident involving crude oil would be covered.

*Government Orders*

It is important to emphasize that even in such an extreme situation the taxpayer should be protected. Any public money loaned to the compensation fund would be repayable with interest on terms set by the Minister of Finance through levies on the industry.

Another important part of establishing this compensation fund is putting in place an administrative body that can manage the fund effectively and in a cost efficient manner. To that end, we are modelling the fund's administration on that of the ship source oil pollution fund in the regime of marine tankers. A fund administrator would be responsible for establishing and paying out claims after the railway's liability limit was reached. As well as reporting on the management of the fund to Parliament through the minister of transport, after paying out claims, the fund administrator would be able to seek reimbursement from any at fault third parties through the courts.

The fund would achieve two important goals. First, it would ensure that shippers are held accountable for the liabilities associated with transporting their dangerous goods. This reflects the fact that shippers are a part of the polluter pays equation and that the nature of their products contribute to transportation risk. Second, the fund would provide added resources that could be called upon to compensate for damages, if required.

The benefits of this two-tiered regime that I have just described would only be felt if it operates as designed. That is why we have included enforcement mechanisms to ensure compliance. To ensure railways comply with the enhanced insurance requirements and collect and remit levies for the fund, monetary penalties of up to \$100,000 per violation could be applied. Penalties would not be applied to shippers. Instead, to ensure that levies were paid, a railway's common carrier obligations to the shipper would be conditional on the shipper paying the required levy to the railway. In other words, the goods would not be shipped without payment of the levy.

A robust liability and compensation regime for rail complements our government's actions to further strengthen the safety of our rail system and the transportation of dangerous goods. Putting this legislation in place would ensure that should other rail accidents occur polluters would be held accountable and would provide the resources needed to compensate victims and to clean up the environment. I therefore urge all members to adopt the bill.

I come from an area of the country in southern Ontario, from a community that has been known as the railway capital of Canada. At different times, 36 different railways have run through St. Thomas, Ontario. It is quite proud of its railways heritage and its railway safety. As far as I know, we only had the one significant accident. In 1886, Jumbo the elephant was hit by a train in St. Thomas, Ontario. The largest elephant known to man, P.T. Barnum lost one of his greatest assets. I believe he would have wished this type of insurance plan was in place to have compensated him when Jumbo the elephant went down that day to the train in St. Thomas, Ontario.

•(1705)

**Mr. Bernard Trottier (Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie, CPC):** Mr. Speaker, there is some important insight to be gleaned from the member's comments.

First, I commend him for focusing on the actual content of the bill. It is an important one, focused very squarely on the compensation and liability regime for railroads. It is not a panacea.

Railroads have been operating for well over a century in North America and in Canada. They will continue to operate and be a real cornerstone of our economy, our vibrant continental and international economy.

Could my colleague expand on the compensation fund? I think we all understand insurance and how that works, and the need for companies, where there are risks, to have adequate insurance. Certainly in the case of Lac-Mégantic, that railroad, the MMA, did not have adequate insurance to ensure that the victims were properly compensated.

On the compensation fund, the notion is that the railways are responsible for the risks, but the shippers are responsible for the risk as well. Could the member comment on that? How will the shippers take some responsibility for the risk? At the same time, will this compensation fund affect their competitiveness? We understand how important it is to the petroleum industry in our country. It pays for all kinds of things that we appreciate in our great country.

**Mr. Joe Preston:** Mr. Speaker, we have put in place what we think is belt and suspenders, in the way of being able to compensate. The railways are asked to carry a level of insurance based on the types of products they carry and the amount of business they do.

The second phase of that is a compensation fund that is available for the much larger accidents that would not be covered by insurance or might not be able to be covered by insurance, even though we have ensured that the railways carry that insurance.

The fund is created by \$1.65 per tonne of oil, in this case oil carried. It is paid as the shipping happens so the fund is robust, is always complete, and it has money there. Over time, it will be able to handle any sort of accident that may happen, although we hope the fund is never used. All Canadians would hope that is the case.

As we continue to move dangerous products, like oil, by train, there is the opportunity that it might happen. Beyond the insurance of the companies involved, this will create a greater fund for those much larger and perhaps more dangerous situations.

•(1710)

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague for his speech.

The Canadian disaster relief fund is an interesting aspect of the bill, but it does raise some concerns.

*Government Orders*

First, we do not understand why the amount was set at \$250 million. Second, the money for this fund will be in the general revenues of the government.

I studied the budget extensively and I am in the process of going over the budget implementation bill, and I cannot say that the government inspires confidence. For example, to balance the budget this year, the Conservatives raided the national contingency fund.

I would like my colleague to clarify all this. I am not sure he will be able to reassure the public.

[*English*]

**Mr. Joe Preston:** Mr. Speaker, I will be more than able to reassure. I will be able to reassure the member opposite that constituents in my riding and across Canada have been putting their faith in this government and agree that a promise made is a promise kept.

In the sense of balancing a budget, and I thank the member for bringing that up. Back home that is a pretty significant piece. I thank the member for allowing me to advertise that a little here.

The legislation we are debating today is also a promise made. When the members opposite vote for it at the end of this level of debate, it will be another promise kept. We then can tell Canadians that rail safety matters, that rail safety is taken care of, that railways will be asked to carry a level of insurance. We will also be able to put together the consolidated fund for those larger incidents that may or may not happen.

I thank the member for pointing out the great work of this government in its budgeting, and balancing of it. I thank him for allowing me to talk a little more about it today.

[*Translation*]

**The Acting Speaker (Mr. Bruce Stanton):** Before resuming debate, I must inform the hon. member for Gaspésie—Îles-de-la-Madeleine that there are 17 minutes remaining for government orders. The hon. member would normally have 20 minutes for his speech, but I will interrupt him at 5:30 p.m., at the end of the time provided for government orders.

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, I will try to be brief. Today, we are debating a bill that will supposedly improve rail safety in Canada. One of the government's main responsibilities is definitely to ensure public safety.

There has been a spectacular increase in the amount of oil shipped by rail. In 2009 there were 6,000 cars transporting oil, whereas last year, in 2014, there were 110,000. Canadians certainly have the right to ask questions, especially whether their safety is really this government's priority. The Lac-Mégantic disaster showed that there are serious flaws when it comes to safety.

Today, we have before us a bill that will not improve rail safety, but will instead address the issue of insurance after an accident. This is a reactive rather than a proactive bill.

We do not improve the safety of Canadians by sending a cheque after an accident occurs. We must improve the public's safety. The quality of Canada's rail system is very questionable, primarily

because of the bills passed by successive governments in the past 20 years. That is what I am going to talk about.

• (1715)

[*English*]

I welcome the opportunity to address the government's bill, Bill C-52, the so-called safe and accountable rail act, which is a revised version of the existing Canada Transportation Act.

The biggest problem I have with the legislation is that it is based on an act that was inadequate when it was passed in 1996 by a Liberal government, and in turn, that bill was based on an even worse act passed by the Conservatives in 1987.

What we are being asked to do now, frankly, is comparable to rearranging the deck chairs on the *Titanic*. We have a fundamental responsibility to ensure safety, not to spend hours discussing insurance liability for rail companies. That is certainly a first step, and it is why I am going to support the legislation, but it is a tiny step. We need to go an awful lot further.

The changes proposed today are only the beginning of an answer. Canadians need a new act that is based on fundamental elements that have been lacking all along. From the very start, the current act has lacked the basics necessary to maximize the performance and safety of our multi-modal transportation system and especially its rail component.

The maintenance and safe, effective operation of a national transportation system fully addressing the needs of this country, the private owners of the majority of that system, and the shippers and passengers who depend on it requires that it be conceived as a whole. The essential elements would be policy, legislation, planning, and adequate funding, which the government sorely lacks in many fields of its jurisdiction.

Legislation is but one element in the development of a comprehensive and effective national transportation system. However, the Canada Transportation Act lacks many of these building blocks, the most elementary being a basic national policy balancing public and private interests.

As is said in the introduction to this legislation's review discussion paper, Canada's transportation system is "substantially more market-based, deregulated and competitive" than it was in the period before the Mulroney Conservatives introduced their deregulatory act in 1987.

In fact, our transportation system today is largely based on a laissez-faire approach that reserves only a few areas for public oversight. Its most vital flaw is the lack of an underlying, proactive policy.

*Government Orders*

As a result, Canada's transportation system is a series of silos that have been cobbled together by multiple and often competing owners without a comprehensive plan. All of them have wound up being patched up with this makeshift legislative and financial band-aid to correct the flaws created by a boundless faith in this hands-off, strictly-for-profit approach. It is totally unrealistic.

The VIA Rail Canada program, funding for remote airports and roads, scattershot safety fixes, a last minute renewal of federal funding for the Algoma Central passenger service and the government's Fair Rail for Grain Farmers Act, these form a patchwork of intervention in a system that the government likes to think does not require intervention, yet it continues to intervene.

There is no central policy or plan at work here, and it has been said that this type of necessary intervention is too frequently only taken by governments such as this in the run-up to an election. Pardon the pun, but this is no way to run a railroad. It is certainly no way to run a country.

The Canadian approach is far different from that taken by other countries that view transportation not just as a business, but as a potent tool for national, economic, social and environmental growth and security. This especially applies to the rail sector.

The United States took a similar laissez-faire approach to railroading for decades. With the construction of its highway interstate network, the national rail system there drifted along without benefit of a clear policy, nor comprehensive planning, nor balanced or sustainable funding, very similar to Canada today. The result was the collapse of large parts of the system and the need for government intervention under crisis conditions.

The revision of the U.S. approach to railroading is now under way with the enunciation of clear, inclusive policies that are interlocked with legislation, planning and funding to realize this new national vision. The objective is to maximize the potential of rail in concert, not in competition, with the other modes.

Making changes to the limited amount of legislation embodied in this CTA is only a small part of the solution. Without a clear and comprehensive national policy, even the best legislation will fail because it is based on what amounts to an absence of policy. Revising the CTA in the absence of enlightened and proactive policies cannot and will not decisively correct its major deficiencies.

There are two specific areas that concern me greatly. The first is the safety of the transportation network that has evolved under the current CTA and the predecessor deregulatory act on which it is based. This especially applies to rail.

We have now gone through a wave of rail accidents that have demonstrated how much our system has declined. If this was only to include Lac-Mégantic, that would already be much too much, but we have experienced numerous major derailments, both before and after that disaster, that have demonstrated that our rail system is degrading, and degrading rapidly.

Just as bad, it is not being monitored adequately on behalf of the public. What we have now is a self-regulating rail safety network, and it is not working.

Our rail safety regime under the CTA is badly flawed. It provides inadequate protection for individuals, inadequate protection for communities and its workers. In the pursuit of profits, corners are being cut and this inadequate attention to safety is not being revealed until it is too late. What we have now is reactive rail safety legislation.

To be effective, there must be a new safety legislation within the CTA that is not only better, it must be vigilantly enforced. Any new legislation must recognize that the public interest can only be adequately protected when the regulator has the power and the resources to enforce the rules.

Some believe that compelling the railways to carry more insurance is the answer. This is the very basis of this current legislation. While it is part of the solution, this is reactive in nature and after the fact. It does not prevent accidents; it merely analyzes them after they have occurred.

Funds should also be invested in improved infrastructure and safety appliances, which would prevent fiery derailments that pose an unnecessary risk to public safety. I am extremely disappointed that the bill does not include the implementation of a safety system that would have a major impact on Canadian rail safety. PTC, positive train control, a highly effective high-tech system, has been mandated by the U.S. Congress for all main lines handling passenger trains and freight trains carrying dangerous goods.

● (1720)

PTC would have had substantial impact on the Lac-Mégantic tragedy. In fact, it could have prevented it by alerting employees of the impending catastrophe as soon as that train began to be under way. There could have been intervention at a critical time. At the very least, the PTC system would have allowed for the minimization of the eventual derailment that led to the devastating explosions and the horrible loss of life. This bill does not even contemplate the application or the requirement for advanced technologies such as PTC.

I would also point out that the requirement to safely equip and maintain operations with advanced systems such as PTC would generate a domestic economic uplift. It would stimulate Canadian railway supply industries and creates jobs, such as in La Pocatière, Quebec and in Thunder Bay, Ontario. Private railway funding of large insurance policies usually just goes to offshore insurance companies and does nothing really to improve safety.

*Private Members' Business*

Furthermore, legislation aimed at improving rail safety must recognize that it requires on-the-ground inspection by trained government personnel who have the power to rigidly enforce the rules. There must be an adequate number of them to do it on a constant and daily basis.

I also believe that CTA needs to be revised to play a major role in proper functioning of our passenger rail service, VIA Rail Canada. There is precious little in the act today aimed at establishing the mandate, rights or obligations of our national passenger service, or even other passenger or commuter operations. I attempted to correct this situation with Bill C-640, An Act respecting VIA Rail Canada and making consequential amendments to the Canada Transportation Act, which would have required consequential amendments to the current CTA. That overdue legislation was defeated by the current Conservative government.

There is little in the current act to protect and direct the provision of a proper rail passenger system. There is, in fact, only one clause in the current CTA that affords any legislative rights in delivering a necessary service to millions of Canadians. When it has been applied on a very few occasions, it has been helpful but it does not go far enough in establishing VIA's right to operate on the lines of the privately owned freight railways.

VIA, like the whole transportation system, will never function effectively as long as our national transportation system is based on legislation that does not allow for the protection of the public interest. Nor does it respect the fair rights of our for-profit freight railways. These two are not mutually exclusive. A strong and healthy transportation system is vital to improve Canada's global competitiveness, security, social well-being and environmental performance. We won't have that as long as we allow our multi-modal system to function in what amounts to a policy vacuum. That is what we have today under the CTA, and no amount of tinkering is going to correct it.

As other nations with which we compete have demonstrated, the federal government needs to become much more engaged, innovative and supportive in addressing the numerous challenges that stand in the way of delivering safe, modern, adequate and sustainable transportation services across our land. To be truly effective, the CTA needs to be revised on the basis of a comprehensive national transportation policy that takes into account the needs of all stakeholders, public and private. This is a matter well beyond any revision of the act, solely presented here before the hon. members. It must originate at the highest levels of our federal government and it must include a serious dialogue.

The current bill was presented to a parliamentary committee in two sittings. This very important piece of legislation was rammed through much too quickly. Many stakeholders did not have the opportunity to speak. We need to take all of the steps necessary. This bill is simply a first step.

• (1725)

Let us remember that when the minister recently, with her American colleagues, announced new regulations regarding the transportation of dangerous goods, the minister and her American counterpart said that from now on, in urban areas of 100,000 people or more, the speed limit for dangerous goods will be 40 miles an

hour. The problem with that is that it is not the density of the population nearby that is the real problem; it is the quality of the railway itself.

There are many areas of this country where we have allowed companies not to complete sufficient rail maintenance. They have deferred it to future periods, and when the rail cars run on these inadequately maintained rails, there is risk of accident. The government then has to act in a crisis situation, such as it did in northern New Brunswick, where it had to negotiate under the gun with a rail company to ensure that the railway was going to be properly maintained over the next 15 years.

This should not be managed in a crisis mode. We know the problem is the quality of the rail itself. We know that private companies are self-monitoring. Without proper supervision by the government and its agencies, this problem is simply going to be compounded. Again, the amount of rail transportation of our oil products is skyrocketing, and the danger to the public goes up at the same rate.

We have to take our responsibilities seriously. The government has taken only a very small step in that direction with this legislation. We need to do an awful lot more to prove to the Canadian public that we are taking our job seriously.

• (1730)

**The Acting Speaker (Mr. Bruce Stanton):** There will be three and a half minutes remaining for the hon. member for Gaspésie—Îles-de-la-Madeleine when the House next resumes debate on the question, as well as the normal 10 minutes for questions and comments.

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.

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## PRIVATE MEMBERS' BUSINESS

[Translation]

### RAILWAY SAFETY ACT

The House proceeded to the consideration of Bill C-627, An Act to amend the Railway Safety Act (safety of persons and property), as reported with amendment from the committee.

**The Acting Speaker (Mr. Bruce Stanton):** There being no amendment motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

[English]

**Ms. Joyce Bateman (Winnipeg South Centre, CPC)** moved that the bill be concurred in.

**The Acting Speaker (Mr. Bruce Stanton):** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.



*Private Members' Business*

(Motion agreed to)

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

**Some hon. members:** Agreed.

**Ms. Joyce Bateman** moved that the bill be read the third time and passed.

She said: Mr. Speaker, I am absolutely honoured to open this third and final hour on my private member's bill, Bill C-627, an act to amend the Railway Safety Act regarding safety of persons and property.

[*Translation*]

I am very pleased to have an opportunity to speak today to my bill, Bill C-627, and of course to answer any questions my colleagues may have.

As everyone knows, our government's priorities include transportation safety in general and rail transportation in particular.

[*English*]

My bill proposes amendments to the Railway Safety Act that would help ensure the safety and security of all Canadians. I am very grateful to all the members who have spoken to my private member's bill in the House and to all the members of the transport committee who have not only asked me all kinds of questions but have also gone through this bill clause by clause, line by line, word by word, and have sent it back to the House for this third and final reading.

I have heard loud and clear from my constituents that rail safety is an issue that matters to them, and as a servant of Winnipeg South Centre, I chose to use my private member's bill to achieve greater rail safety in my constituency. Although my focus was on my constituency, the happy consequence is that it would impact the entire country, and rail crossings would be safer and more secure because of this bill.

This is exactly the reason I am asking all of my colleagues in this House of Commons to support my bill. I see my colleagues from every party, representing every Canadian, and from each and every one, I seek their support.

The amendments I propose to the Railway Safety Act would give additional powers to the Minister of Transport to intervene, when required, to better ensure the safety of Canadian citizens, their property, and our communities. My proposed legislation seeks to empower railway safety inspectors so that they may quickly intervene to restrict the use of unsafe works and equipment and to forbid or restrict unsafe crossings and road crossings.

This is a very important issue to me, because in my riding, I have been receiving a number of calls from constituents about the condition of some rail crossings. This led me to take action.

I want our crossings to be safe for a child riding a bike, to be safe for a senior on a motorized wheelchair, and to be safe for a family out for a stroll or a bike ride together. I want our crossings to be safe for vehicles and not have, as has recently been the case, wood planks flying up and hitting vehicles as they drive by, even at low speeds.

Rail crossings crisscross my riding, and the safety of them can be enhanced. This bill is about prevention. The essence of the bill is to solve problems before they occur.

My private member's bill is designed to assist in expediting the quick resolution of safety issues encountered at crossings, all to ensure the safety of the public. This is always a number one priority, and it is certainly my number one priority: prevention.

I am very proud to be part of this government and to contribute to the service of this nation. I am equally proud of the work that has already been done by my government on rail safety, and I am happy to present this private member's bill to further enhance the safety of people in our communities.

I am asking my colleagues on all sides of this House for their support of my private member's bill, Bill C-627, an act to amend the Railway Safety Act for the safety of persons and property.

• (1735)

[*Translation*]

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I want to thank the member who sponsored this bill. As she knows, the NDP will support the bill. Every member can vote as they wish, but we all support it.

However, in committee we proposed an amendment that was rejected. The member used a word we agree with, which is “environment”. It is mostly a matter of protecting persons and property, but the environment was mentioned in just one provision. We therefore asked to include environmental protections in all of the provisions, which was rejected.

Could the member tell us why her colleagues rejected this amendment? Why does the importance of the environment vary from one case to the next?

**Ms. Joyce Bateman:** Mr. Speaker, I thank my colleague for his question.

As everyone knows, rail safety in particular is one of our priorities.

The existing legislation does not allow either inspectors or the minister to shut down crossings that could pose a risk to the public. My bill would change that and would be in the best interests of everyone.

As for the specific wording, I must accept the decisions of the members of the Standing Committee on Transport, Infrastructure and Communities. That was their decision and not mine.

[*English*]

**Mr. Bernard Trottier (Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie, CPC):** Mr. Speaker, I want to thank my colleague for introducing this bill. As she talked about in her speech and in her response to the question from the member opposite, it is very important that we empower inspectors.

*Private Members' Business*

I would like if she could maybe take a minute just to describe what can happen without that empowerment. What is that normal process of how the issue of a level crossing gets addressed? What is the intervening period of time? What are some of the things that could happen? What is the impetus for this bill?

Obviously, the carriers, the railroads, are the owners and operators of these level crossings so it is important for them to take action. In many cases, a municipality is also one of the stakeholders in a level crossing and owns part of it. Why is there a need for an inspector to have that additional power to be able to act quickly?

• (1740)

**Ms. Joyce Bateman:** Mr. Speaker, much to my surprise, the reality is that when there was an issue in my riding at a railway crossing I was incredulous to find that the minister did not have the power nor did her railway inspectors to solve the problem and to stop any accidents from happening.

Previously, it was a cumbersome process. This will expedite things. Through my consultations in the development of this bill I am very pleased to acknowledge in this House of Commons that the rail companies that I spoke with are very supportive of increased rail safety. The Teamsters union, which represents a great number of people who work for rail companies, is interested in supporting this bill. Certainly, the minister was very interested when I presented this because currently there is no remedy under our Rail Safety Act for her to shut down an unsafe situation. I have actually had a number of unsafe situations at rail crossings in my riding. This is a question that mattered greatly to my constituency and I am thrilled to hear from not only my colleague on this side but my colleague on the other side of the House that there will be support in general for this bill. It matters that we keep people in our communities safe.

[*Translation*]

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I thank my colleague for introducing Bill C-627, which I will be talking about. This bill is a step in the right direction, but it underscores the gaps in existing regulations.

The NDP has long criticized the fact that companies are allowed to self-regulate and self-inspect. The objective is to provide powers to the minister and inspectors so they can intervene if there is a problem.

However, there are not enough inspectors. We have been looking at this issue for a long time in committee, and the problem has not necessarily been solved. Yes, we can grant more powers, but if there

is nobody on the ground to ensure that rails and crossings are safe, that does not solve the problem. The Conservatives have cut the budget for rail inspection by 20% since 2010. The government is not investing in inspections.

I support the bill since it is a step in the right direction, even though it is a private member's bill and it conflicts somewhat with Bill C-52, which I talked about earlier. The fact that members have to fix government rail safety regulations shows that there are problems.

What is funny is that in committee, we examined Bill C-627, a private member's bill, before we examined Bill C-52, but we debated Bill C-52 first. Bill C-52 really should have contained mechanisms that referenced Bill C-627. It is a bit complicated and it shows that the government did not do its homework with regard to rail regulations. The government is rushing to fix things after the Lac-Mégantic tragedy, and it is improvising quite a bit.

In short, I will support the bill because it is a step in the right direction. However, the government could do more in terms of rail safety.

• (1745)

[*English*]

**The Acting Speaker (Mr. Bruce Stanton):** Normally, at this time, we would invite the sponsor of the bill for her right of reply. It is my understanding that, the hon. member having just addressed the House, she has taken the occasion to waive that necessity for this evening.

Is the House ready for the question?

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. Bruce Stanton):** Carried.

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

**The Acting Speaker (Mr. Bruce Stanton):** It being 5:46 p.m., this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 5:46 p.m.)





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