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Friday, April 22, 2016

Speaker: The Honourable Geoff Regan

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HOUSE OF COMMONS

Friday, April 22, 2016

The House met at 10 a.m.

Prayer

GOVERNMENT ORDERS

● (1005)

[*English*]

CRIMINAL CODE

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.) moved that Bill C-14, An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying), be read the second time and referred to a committee.

She said: Madam Speaker, I am pleased to rise in the House to address Bill C-14, which would, for the first time in our country's history, create a federal legislative framework to permit medical assistance in dying across Canada.

Before I begin my remarks today, I want to acknowledge that medical assistance in dying is a challenging issue for all Canadians. It is difficult. Death and dying are not things that we are comfortable talking about in our society. We all have stories of our families and those people close to us, which touch us and challenge us in this regard. Nonetheless, since the release of last year's decision in the Supreme Court of Canada in the Carter case, this government has not shied away from having difficult conversations with Canadians.

Equally, I want to recognize that we did not wrestle with these issues alone. I commend the dedicated efforts of all the individuals and organizations that have made tremendous contributions to the public debate and dialogue around how we implement medical assistance in dying in Canada.

I do not have time to include in my remarks today all the names of the people who have been involved, but I would first like to recognize the members of the special joint committee who exemplified dedication and service to Canadians in delivering a comprehensive report under extremely difficult and tight time constraints. Their task was not easy, but they rose to the challenge.

I also want to acknowledge the work of the federal external panel and the provincial expert advisory group, as well as the thousands of individual Canadians, experts, and organizations that participated in these consultations.

I would like to stress how invaluable all of this input and evidence was in the development of the bill, as explained and referenced in the Department of Justice legislative background on Bill C-14, which I will be tabling later this morning and which will be available on the Justice Canada website at the time. The bill that is before the House today is the culmination of all of these efforts.

From the start, we have known from the Supreme Court of Canada's unanimous Carter decision, that it is not about whether or not to have medical assistance in dying; it is about how we will do it. We are keenly aware of the diverse perspectives on this issue, and each of them raises worthy considerations. We have also looked carefully at the evidence from other jurisdictions that permit medical assistance in dying.

With all of this in mind, and in appreciating the limited time frame we have had to respond to the Carter decision, our government has chosen an approach that respects both the charter and the needs and values of Canadians.

First, it would permit physicians and nurse practitioners to provide medical assistance in dying, so that patients who are suffering intolerably from a serious medical condition, and whose death is reasonably foreseeable given all of their medical circumstances, can have a peaceful death and not be forced to endure slow and painful suffering.

Second, it would commit to study the other situations in which a request for medical assistance in dying might be made; situations that were not in evidence before the court in the Carter litigation and were beyond the scope of its ruling.

This evidenced-based approach will allow us to respect the autonomy and the charter rights of Canadians while ensuring robust protections for vulnerable persons. It is the right approach for our country.

Our government, under the leadership of my colleague, the Minister of Health, will be bringing forward non-legislative approaches to support the bill, including an end-of-life care coordination system for linking patients to willing providers, and in the context of a new health accord, we will promote the improvements to palliative care across the country.

To ensure public safety, the bill would re-enact section 14 and subsection 241(b) of the Criminal Code, but provide exemptions to permit medical assistance in dying for eligible persons. The bill would limit eligibility to persons 18 years and over who are capable of making decisions with respect to their health.

● (1010)

The bill would require that the person be competent at the time that the medical assistance in dying is provided, which practically means that advance directives would not be permitted. Requests must be fully informed and free from coercion, to ensure they reflect the person's true wishes.

The bill would also require that the person have a grievous and irremediable condition, which is defined in the bill. The definition is intended to be applied flexibly by physicians and nurse practitioners who can use their training, ethics, and good judgment to apply the criteria.

To be clear, the bill does not require that people be dying from a fatal illness or disease or be terminally ill. Rather, it uses more flexible wording; namely, that "their natural death has become reasonably foreseeable, taking into account all of their medical circumstances". This language was deliberately chosen to ensure that people who are on a trajectory toward death in a wide range of circumstances can choose a peaceful death instead of having to endure a long or painful one.

As the Supreme Court of Canada noted, Gloria Taylor was dying from a terminal illness and would be eligible. So too would Kay Carter, who was 89 and according to the court suffered from spinal stenosis, which itself does not cause death but can become life-threatening in conjunction with other circumstances such as age and frailty.

This approach to eligibility responds directly to the Supreme Court's ruling, as it noted in paragraph 127:

> The scope of this declaration is intended to respond to the factual circumstances in this case. We make no pronouncement on other situations where physician-assisted dying may be sought.

In our view the people captured by the court's ruling would be eligible under the proposed legislation. Moreover, the legislation proposes a workable standard. The Canadian Medical Association, in supporting the legislation, has stated that the proposed eligibility criteria are one of several "critical elements to support a consistent, national approach".

Bearing in mind that medical assistance in dying can pose real risks and equally that we do not wish to promote premature death as a solution to all medical suffering, these criteria may not allow eligibility for some circumstances, such as a person with a major physical disability who is otherwise in good health, or a person who solely suffers from mental illness. These conditions, in absence of additional medical circumstances, may not be associated with a reasonably foreseeable death.

Our approach in no way denies the suffering experienced by persons who would not be eligible. In partnership with the provinces and territories, we will do what we can to improve the quality of health services and other supports that are needed to enable such individuals to live a better quality of life.

We have listened to those who say that permitting medical assistance in dying as a response to suffering in life, as opposed to suffering in the dying process, will put already vulnerable individuals at greater risk. We recognize that medical assistance in dying will in many respects fundamentally change our medical culture and our society. It is appropriate in this context to focus our attention on facilitating personal autonomy in the dying process where the risks to the vulnerable are manageable.

The bill recognizes that procedural safeguards are necessary and appropriate in medical assistance in dying. The bill would adopt the recommendations of the special joint committee regarding the appropriate safeguards. For example, eligibility must be assessed by at least two medical practitioners or authorized nurse practitioners.

The bill would also set out a legal framework for a compulsory monitoring regime to ensure that we have Canadian data to assess how medical assistance in dying is working in practice.

This is an issue that will require close co-operation with the provinces and territories, and the monitoring requirements would only become binding after the Minister of Health brings forward regulations, which she will develop in consultation with those governments.

Finally, the bill would commit Parliament to review its provisions after five years.

In addition to the parliamentary review mechanism included in the bill, we will also undertake independent studies into three key issues that the Supreme Court of Canada declined to address in the Carter ruling: eligibility for persons under the age of 18; advance requests; and requests for medical assistance in dying solely on the basis of mental illness.

● (1015)

To be clear, the ruling in Carter was expressly limited to a competent adult person who clearly consents to the termination of life. Further, the Supreme Court stated that assistance in dying for minors or persons with psychiatric disorders would not fall within the parameters suggested in these reasons. Simply put, the court in Carter did not hear evidence related to these sorts of cases, nor did the Supreme Court find that there was a right to medical assistance in dying in any of these circumstances.

Regarding persons under 18, we are mindful of the evidence heard at the special joint committee that more specific study and evidence are needed, given the irrevocable nature of the procedure and the fact that minors are vulnerable by virtue of their age.

In terms of advance requests, where a person makes a request in advance for a form of treatment that they would want if they lose their ability to express their wishes, the risks of error and abuse increase when a person is unable to confirm previously stated wishes. In effect, a person loses the ability to withdraw their consent to die. They would no longer clearly consent, in the language of Carter.

We are also mindful of evidence that people often err in making predictions about how they will respond to future medical suffering. In the very few jurisdictions where advance requests are allowed, physicians generally will not perform medical assistance in dying under ethically difficult circumstances where the person is conscious but mentally incompetent to express their wishes. More study of this complex issue is needed.

With regard to mental illness as the sole basis for a request for medical assistance in dying, further study is also needed. This is the delicate balance that the bill would strike. Circumstances beyond the scope of the Carter decision will be studied. However, at this moment, we will act responsibly as we take our first steps as a country on this challenging issue.

A question that many have about the bill is whether it is consistent with the Carter ruling. There will always be a diversity of opinions about what is required to respond to a particular judgment, but it falls to Parliament not only to respect the court's decision, but also to listen to diverse voices and decide what the public interest demands. It is never as simple as simply cutting and pasting the words from a court's judgment into a new law.

The bill before the House today respects Carter and complies with the Charter of Rights. The court ruled that the previous law, which involved a complete prohibition, went too far in restricting the rights of Canadians like Ms. Carter and Ms. Taylor, whose natural deaths had become reasonably foreseeable, to choose medical assistance in dying.

As I have already mentioned, the court expressly stated that it did not pronounce on anything beyond the factual circumstances of the case before it. The court did not define the term "grievous and irremediable condition". It left the task of definition, as well as the elaboration of public policy and safeguards, to Parliament.

The eligibility criteria in the bill are consistent not only with the legal principles of Carter but with the circumstances of the plaintiffs in the Carter case, including Gloria Taylor, who was suffering from fatal ALS, and Kay Carter, who was also in a state of irreversible decline and nearing the end of her life.

In finding that an absolute prohibition was unconstitutional, the court did not require Parliament to enact a specific medical assistance in dying regime. Rather, it directed us to address the deficiencies of the previous law. The court said:

> ...physician-assisted death involves complex issues of social policy and a number of competing societal values. Parliament faces a difficult task in addressing this issue; it must weigh and balance the perspective of those who might be at risk in a permissive regime against that of those who seek assistance in dying.

This is precisely what Bill C-14 does. It respects personal autonomy, protects the vulnerable, and affirms the inherent value in every human life.

The bill would create a consistent national floor in terms of eligibility and procedural safeguards under the federal criminal law power, which is there to ensure the safety of all Canadians.

● (1020)

The requirements we see in the bill would have to be respected across the country. However, provinces and professional regulatory bodies may also choose under their jurisdiction to add additional safeguards or requirements, such as how to respect the conscience rights of their medical professionals and health care institutions while ensuring access for patients. To this end, as I have already mentioned, my colleague, the Minister of Health, will be working with her counterparts to bring forward a coordinated system for linking patients to willing providers.

I want to say a few words about how the bill will give Canadians confidence that the risks associated with medical assistance in dying will be carefully addressed.

Ultimately, we want medical assistance in dying to reflect the true autonomous choice of Canadians who request it. However, we know how autonomy can be compromised in both overt and subtle ways. At points in our life, all of us are vulnerable. However, vulnerability is experienced disproportionately by those Canadians who are alone or lack social supports, who live in poverty, who face discrimination or a multitude of other reasons. Some people may feel that they are a burden to others or struggle to find joy and purpose in their life. The availability of medical assistance in dying must not inadvertently tempt persons who are experiencing these or other sorts of vulnerabilities to choose a premature death, nor should it suggest that dying is an appropriate response to a life with disability.

It makes sense to limit medical assistance in dying to situations where death is reasonably foreseeable, where our physicians, nurse practitioners, and others, can draw on their existing ethical and practical knowledge, training, and expertise in addressing these challenging circumstances.

Coupled with robust procedural safeguards, the bill would effectively respond to the risks and ensure that requests for medical assistance in dying are made freely, autonomously, and with the benefit of full information.

More fundamentally, our government wants medical assistance in dying to be there for Canadians, so they can have a choice of a peaceful death that accords with how they have lived their life, over a painful and prolonged one that does not.

Our government believes in the equality of all Canadians' lives and sees the inherent value in each of them.

Before eligibility for medical assistance in dying is extended beyond persons who are suffering intolerably and in a state of decline toward death, which is what the Carter decision was about, we need to be absolutely confident that we would not be putting vulnerable people at risk. We need to be confident that we are not undermining important policy goals and/or societal values, such as supporting Canadians with physical or mental disabilities to live out healthy lives and fully participate in our society.

I look forward to working with all members of these chambers on this incredibly difficult and complex issue, to ensure that before June 6, 2016, our country will have a law that respects autonomy and provides choice to Canadians, while also protecting those in our society who we too often lose sight of. Together, let us take this opportunity to build a consensus of which Canadians can be proud.

Finally, I am tabling a document, in both official languages, entitled "Legislative Background: Medical Assistance in Dying (Bill C-14)".

● (1025)

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Madam Speaker, the minister tells us correctly that the court left the task of defining certain terms to Parliament. Therefore, it is regrettable that the key term "reasonably foreseeable death" in this legislation is not defined. This is problematic, because in her speech, in which she expresses the intent of the government on the subject, she is ambiguous as to what the meaning could be.

She said that it is not necessary to be "terminally ill". Therefore, "reasonably foreseeable" does not mean that we have a projected end date to that person's life, unless she has some definition of terminally ill that is different from the one normally used. On the other hand, she said that we do not promote premature death. Again, these two are directly in contradiction, unless she has some definition for the term premature death that has not yet been shared with us.

Therefore, I will ask this question to the minister. Would she object to an amendment to this legislation in the committee process that would give a definition to the term "reasonably foreseeable", so that it is not left up to other individuals who may apply different standards, and so that Canadians are not faced with what I think is an unreasonable amount of uncertainty as to what this bill will do once it is put into practice?

Hon. Jody Wilson-Raybould: Madam Speaker, first let me say that I am looking forward to the substantive discussion that we have in this House around this particular issue. I am certainly looking forward to the discussion that will ensue in both Houses in terms of the committee work. I expect that the robust discussion will lead to many suggestions for potential improvements of the bill. I believe fundamentally in the democratic process, and look forward to the discussions at committee, at which I will be participating.

The question was specifically around reasonable foreseeability. In terms of the legislation, reasonable foreseeability and the elements of eligibility in terms of being able to seek medical assistance in dying, all must be read together. We purposefully provided flexibility to medical practitioners to use their expertise, to take into account all of the circumstances of a person's medical condition and what they deem most appropriate or define as reasonably foreseeable.

Mr. Murray Rankin (Victoria, NDP): Madam Speaker, I would like to begin by congratulating the minister on a very thoughtful presentation. I am grateful for that.

The minister, in her remarks, did refer to the need for a delicate balance and believes that she has that balance right in the bill before us. She then talked about the need for parliamentarians to listen to Canadians, but also, of course, to listen—fundamentally, I thought she said—to the court.

The question I have is with respect to the rule of law. Had we listened to other Canadians in the context of other delicate issues, such as abortion or same-sex marriage rights or the like, that might have undercut what the court said in those judgements. My question for the minister is this. If she is persuaded by evidence she hears that we do not have that delicate balance right: (a), would she agree to amendments, and, (b), would she agree to perhaps refer this to the Supreme Court of Canada in an official reference to ensure we have the delicate balance, to which she referred, right?

● (1030)

Hon. Jody Wilson-Raybould: Madam Speaker, I am confident in the proposed legislation that we put forward in terms that it meets and answers the Supreme Court of Canada decision in Carter. As well, it is compliant with the Charter of Rights and Freedoms. The Supreme Court was very clear on two things: one, an absolute ban on medical assistance in dying is contrary to the charter; and, two, it is up to Parliament and provincial legislatures to design the complex regulatory regime around it.

With respect to the question on putting a reference to the Supreme Court of Canada, we as legislators have a responsibility to ensure that we are putting forward the right balance. It is our job to do that. It would certainly be premature to consider any reference to the Supreme Court of Canada in advance of Parliament having a law in place.

Mr. Sean Casey (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, I would like to thank and congratulate the minister on her speech and on her incredible leadership on a question that is so important in our country at this time.

I have a couple of questions. In her speech, the minister talked about the fact that there were many influences on the decision that the government ultimately decided to take. I would invite her to perhaps talk about the influence of the special joint committee on Bill C-14, and also on the Quebec legislation on Bill C-14.

The other question I would ask the minister to address arises out of the question from the Conservative member opposite and his expressed concern over the lack of clarity in the words "reasonable foreseeability".

Could the minister comment on how the terms have been recognized and interpreted by the courts, and the guidance that it should be able to provide us in understanding the purpose of the legislation?

Hon. Jody Wilson-Raybould: Madam Speaker, in terms of influences, it is welcomed as well as supported. I thank the special joint committee for its substantive recommendations, all of which have propelled forward a national discussion on this really important issue.

I had the opportunity to work closely with and be in communication with the province of Quebec, hearing and learning from it regarding the years it invested to come up with its own medical aid and dying legislation, which was enacted last year.

On reasonable foreseeability, this is a commonly used term in many areas of the law, including criminal law. It is applied depending on the nature of the circumstances of a particular piece of legislation.

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Madam Speaker, the minister's excellent speech gives Canadians a good idea of what this legislation is about, and I applaud her on that.

When I look at this legislation, I need to find a balance. I am taking this back to my constituents and we are talking about it. I have a specific question on this. I have a friend who has been suffering from ALS, so this might be too much of a timeline and I might not be able to actually get the answer. Would we be looking at foreseeable death as the time of diagnosis? He has been suffering for about 12 years. Are we saying that the day after he was diagnosed, he could then say that he believed this was best way for him to finish his life and proceed with assisted dying now, or would he have to wait until he became more ill?

● (1035)

Hon. Jody Wilson-Raybould: Madam Speaker, I certainly support all members going back to their ridings and having this discussion with their constituents.

On reasonable foreseeability and diagnosis, as I said, we leave the determination, taking into account all of the elements, up to medical practitioners. The requirement of reasonable foreseeability must be in conjunction with an irreversible state of decline or a trajectory toward death. That would be determined on a case-by-case basis, recognizing the many views that we were provided on individual circumstances of patients being quite different.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Madam Speaker, I would like to thank the Minister of Justice and Attorney General of Canada for her thoughtful presentation this morning.

The issue of physician-assisted dying is one of the most important social issues that Canada has faced in some time. There is no question that physician-assisted dying will be one of the most important issues this Parliament must address.

I had the unique opportunity to give special attention to the issue of physician-assisted dying as a vice-chair of the Special Joint Committee on Physician-Assisted Dying. The special joint committee had a very short time period to deal with a highly sensitive and complex issue. While I, along with my Conservative MP colleagues on the committee, the hon. member for Louis-Saint-Laurent, the member for Langley—Aldergrove and the member for Kitchener—Conestoga, were not able to agree with all the recommendations in the main committee report, all members from all parties and in both Houses worked respectfully and in good faith to do what they believed was best for Canada and respectful of the law arising from the Carter decision.

I would particularly like to a acknowledge the hon. member for Don Valley West, who served ably as chair of the special joint committee.

The issue of physician-assisted dying raises many deep legal, moral and ethical questions. It is an issue that Canadians get very emotional about, and that is understandable. When we are talking about physician-assisted dying, we are talking about something that is probably the most important thing to any human being, living and dying, the right to live and the right to die.

It is not a new issue to Parliament. Indeed, over the last 25 or so years, this issue has come before Parliament 14 or 15 times. Each time Parliament was asked the question whether to legalize physician-assisted dying or not, Parliament chose not to. However, the issue of whether we should legalize physician-assisted dying or not is over, because the Supreme Court of Canada in Carter determined that physician-assisted dying was a charter right for certain Canadians.

While the Supreme Court recognized that physician-assisted dying was a charter right for certain Canadians, it is important to emphasize that the Supreme Court said that it was a charter right for certain Canadians. The Supreme Court did not say that physician-assisted dying was a charter right to anyone, any time, anywhere, under any circumstances in Canada. Rather, the court set out a clear set of parameters. More specifically, what the court determined was that competent adult persons who were suffering intolerably from a grievous and irremediable condition and who gave their clear consent, had a right under section 7 of the charter to physician-assisted dying.

In so deciding, the Supreme Court sought to strike a balance between respecting individual autonomy with the need to protect vulnerable persons. The Supreme Court was satisfied that balance could be achieved with what the court characterized at paragraph 105 of its decision as a system of carefully designed and monitored safeguards.

The test before Parliament is to find that balance in the way of a legislative response. As a starting point for a legislative response, it is important to look to the Carter decision. Does the legislation satisfy the parameters of Carter?

● (1040)

I am satisfied that the legislation does satisfy the general parameters of Carter in limiting physician-assisted dying to competent adult persons who are suffering from an incurable disease or illness, in an irreversible state of decline, and whose death is foreseeable.

That being said, I believe the legislation falls short in at least two regards at this present time. First, I am not satisfied that the legislation sufficiently protects vulnerable persons, persons particularly with underlying mental health challenges. Second, I am disappointed that the legislation does not contain provisions to protect the conscience rights of physicians and allied health professionals.

With respect to safeguards, it is true that the legislation limits physician-assisted dying to persons who are suffering from a physical illness, and make no mistake, that is a very important safeguard. That safeguard, by the way, is consistent with what the Supreme Court pronounced in holding that one had a right to physician-assisted dying in the context of an irremediable condition.

However, where the legislation falls short is that it does not take into account persons who have a physical illness on the one hand, but on the other hand, suffer from an underlying mental health challenge. Make no mistake about it; if people have underlying mental health challenges, are suffering from physical illnesses, and they meet all the criteria of Carter, they have a right to physician-assisted dying as does every other Canadian who meets that criteria. The issue is ensuring their capacity to consent.

In that regard, it is important to remember that the Supreme Court, as one of the key criterion in the parameters that it set out, said that individuals must give their clear consent. Now the evidence before the special joint committee is that physicians generally have the training and skill to diagnose someone with an underlying mental health challenge, to identify the underlying mental health challenge. However, to take the next step, to undertake the kind of complex analysis of determining capacity and consent, a significant amount of evidence said that any physician was not able to do it. Rather, someone with more specialized training such as a psychiatrist would be able to undertake that type of assessment.

I would respectfully submit that it would be an important improvement in the legislation to contain a safeguard to require a psychiatrist to undertake an evaluation of the patient who is determined to have an underlying mental health challenge to determine capacity to consent on a decision that is ultimately irreversible.

With respect to conscience protections, I am disappointed that there is no provision for conscience protections in the legislation. Rather, this has been passed on to the provinces, to colleges, and to professional regulating bodies. The Government of Canada has a duty to protect the conscience rights of physicians and allied health professionals.

The conscience rights of physicians are charter rights and those charter rights are as important as the charter rights of patients to access physician-assisted dying. The charter rights of physicians with respect to the protection of their conscience and right to conscientious objection is not only any charter right, it is a charter right under section 2 of the charter. Section 2 charter rights are considered to be fundamental freedoms.

● (1045)

It is important that the legislation sufficiently respect everyone's charter rights, the charter rights of patients and the charter rights of physicians.

Last, I want to emphasize the importance for the government to respond quickly in the area of palliative care. This is very critical. It is something that Parliament has talked about for a long time. There have been somewhere in the neighbourhood of four or five Senate committee reports. There was at least one report out of the House of Commons. I know that the hon. member for Kitchener—Conestoga chaired a committee that looked at the issue of palliative care.

Now that physician-assisted dying has become a reality, it is time to end the discussion. It is time to act when it comes to providing access to palliative care. It is widely recognized that palliative care is an essential part of end-of-life decision-making. One thing that I heard over and over again as a member of the special joint committee was that a person cannot truly consent to physician-assisted dying unless the person has all options available to them. One of those options is palliative care, but the fact is that only 15% to 30% of Canadians have access to palliative care. Let me say that the option of palliative care without access to palliative care is no option at all.

I want to acknowledge that the Minister of Health did announce $3 billion in funding for palliative care. This is a very important step in the right direction, but it is also noteworthy that there is no mention of palliative care in the budget. There is not one new cent for funding towards palliative care. It begs the question, where is this funding going to come from and when, and where is it going to go? It is absolutely important that the government take decisive action on palliative care.

With that, I would say that this legislation is a significant step in the right direction, having regard for some of the recommendations in the special joint committee main report that I believe went beyond the scope of Carter. I want to thank the government for listening, for considering the dissenting report that was authored by me, as well as my three Conservative MP colleagues on the committee.

However, it is imperfect legislation. There are some of what I would consider to be significant flaws. I am hopeful that the government will be amenable as the legislation moves forward to accepting amendments so that everyone's charter rights can be respected, the charter rights of patients, the charter rights of physicians and allied health professionals, and the charter rights of vulnerable persons.

● (1050)

Mr. Doug Eyolfson (Charleswood—St. James—Assiniboia—Headingley, Lib.): Madam Speaker, the speech by the hon. member for St. Albert—Edmonton was impassioned and very principled.

Just from my perspective, the question was brought up as to whether or not medical practitioners should have the right to exercise their conscience in either performing or referring with respect to this. I have practised medicine for 20 years. I know the importance of keeping to one's conscience in the medical practice.

Another controversial issue in our society is abortion. There is no legislative protection for physicians that says they have the right to refuse to perform abortions or refuse to refer for them. However, no physician in Canada, to my knowledge, has ever been forced to perform against one's conscience.

I do not know that such legislation is therefore required for the same objection in this issue.

Mr. Michael Cooper: Madam Speaker, that is an important question.

I am concerned that there will be inconsistencies. There already seem to be some inconsistencies with some of the guidelines that have come out of the colleges.

I think there is a simple way to address this to ensure that physicians' charter rights are respected, and I think the federal government can play a role in that with a fairly simple amendment to the legislation.

I would note that there is a precedent for this type of legislation. It is section 3 of the Civil Marriage Act, which simply provides that no religious officials may be penalized if they decide not to partake in a civil marriage.

I think that something similar to section 3 of the Civil Marriage Act could be included in this legislation and would go a long way to ensuring that everyone's charter rights, including those of physicians, are protected.

The Assistant Deputy Speaker (Mrs. Carol Hughes): I would remind members that, as opposed to shouting out things, if they want to contribute, please stand to be recognized.

Questions and comments. The hon. member for Victoria.

Mr. Murray Rankin (Victoria, NDP): Madam Speaker, I would like to congratulate my colleague, the member for St. Albert—Edmonton, for his very useful contribution in the same spirit with which he contributed so much during the work of the Special Joint Committee on Physician-Assisted Dying, which I had the honour of being part of. I would like to echo his thanks to the member for Don Valley West and also Senator Ogilvie, who co-chaired that important committee. I just hope that during this debate we can sustain that same tone of respectful dialogue.

He indicated that he was satisfied that Bill C-14 is consistent with the Carter case. On that point, as I will elaborate I hope later today, I respectfully disagree but hope we can work together in the justice committee to get it right for all Canadians.

I was taken with his comments on conscience protection in the legislation, something which just came up as well in the comment from my colleague across the way.

In pointing out it is a charter right for those who have conscience reasons not to participate in medical aid in dying, I think he made an excellent reference to section 3.1 of the Civil Marriage Act which gives a recognition for that conscience protection in that legislation.

I am wondering whether or not it should be appropriate to leave this to the provinces. Some have said this is a matter, and I think the minister made that point as well, of provincial jurisdiction working with the colleges. On the other hand, the member points out that it involves the charter, and therefore, those individuals who wish to support those rights are going to have to work with 13 other jurisdictions.

I would like the member's comments on whether he thinks that is appropriate.

Mr. Michael Cooper: Madam Speaker, I want to thank my friend, the hon. member for Victoria, and also acknowledge the important contribution that he made to the special joint committee. His contribution was very valuable.

I would just reiterate the point that I previously made, that I do see a need for consistency, and that could be done in the way of a simple amendment to the legislation.

On the issue of jurisdiction, I would note that in the Carter decision, the Supreme Court expressly recognized that health care is an area of concurrent jurisdiction, so I believe there is ample room jurisdictionally for the government to act in this regard.

● (1055)

Ms. Pam Goldsmith-Jones (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Madam Speaker, I thank the hon. member for St. Albert—Edmonton for his service on the special joint committee.

I am very interested in the questions that we are going to ask ourselves as a Canadian society in the future. I am interested in his views on advance consent, consent for mature minors, and eligibility based solely on mental illness.

Mr. Michael Cooper: Madam Speaker, I believe that any legislative response needs to adhere to the parameters of Carter. What the Supreme Court said with respect to minors is "competent adult person". If the Supreme Court contemplated minors, the Supreme Court would have said so, but it did not say that. It was very clear in saying "competent adult person".

Similarly, with respect to advance directives, the Supreme Court said that persons who were suffering intolerably from a grievous and irremediable condition have a right to physician-assisted dying, not persons who anticipate that they will suffer from a grievous and irremediable condition.

I would also note that in the province of Quebec, which cast Bill 52, over the course of six years, three national assemblies, and three different governments, advance directives were initially in the first draft of Bill 52, but they were ultimately removed from the legislation when it was passed by the Quebec National Assembly, because legislators in Quebec were not satisfied that advance directives could be incorporated into the legislation without mitigating significant risks.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, I thank the member for his remarks and the good work he did on the committee, and to some extent, the brave face he is putting on.

Of course, members worked hard on that committee, but were aware of the problems in the process as well. The fact is, we heard from three separate panels from the lobby group Dying With Dignity Canada, and we did not hear from any anti-euthanasia advocacy group.

I want to follow up on the question about conscience, because I think we had some misinformation from the other side.

The reality is that right now in Ontario, the policy of the College of Physicians and Surgeons is that there is a requirement not only to refer, but also to provide services that are within the standard of care in an emergency situation. Members from other provinces, and I am not from Ontario either, should know that this is presently the reality in Ontario.

Therefore, if we pass this legislation without conscience protection, presumably euthanasia and assisted suicide will enter the standard of care and then fit within that existing policy framework of the College of Physicians and Surgeons in Ontario. We might hope that they might change the policy or create special accommodation, but in the absence of that, that will be the reality right away.

I want to know what the member thinks about that, and maybe just underline why conscience is important because of the current reality in Ontario and the need for consistency across the country.

Mr. Michael Cooper: Madam Speaker, I do not support an effective referral regime. I believe that an effective referral regime would contravene section 2 of the charter. I would also note that there is no jurisdiction in the world that has an effective referral regime, not Belgium, not the Netherlands, not any of the states in the U.S. that have physician-assisted dying, and not the province of Quebec.

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, I would like to thank my hon. colleague across the way for his work on the special joint committee and certainly for his speech today.

I appreciate the discussion around conscience rights of medical practitioners and institutions. I wonder if my friend has any comments on the Canadian Medical Association's agreement with respect to the legislation and not advocating a worry with respect to conscience rights.

Also, I would like to know if my friend—

● (1100)

The Assistant Deputy Speaker (Mrs. Carol Hughes): I am sorry, We only have time for a brief question, and we need an answer.

The hon. member for St. Albert—Edmonton.

Mr. Michael Cooper: Madam Speaker, first of all, there is a large number of physicians who have raised this issue. I think Parliament owes it to them to address the issue.

I agree with the Minister of Justice and Attorney General of Canada that it is absolutely imperative, absolutely essential, that Parliament pass legislation before the declaration on the stay of constitutional invalidity expires on June 6.

STATEMENTS BY MEMBERS

[*English*]

DANCE ACTIVITIES IN CANADA

Ms. Julie Dzerowicz (Davenport, Lib.): Madam Speaker, today on April 22 we mark the beginning of National Dance Week, a across-Canada celebration of dance. The week will culminate on April 29, which is recognized as International Dance Day.

Canadians love to dance. We like to see dance. In 2013, there were more than 1.1 million attendees to 2,700 performances by 88 Canadian dance companies.

We volunteer for dance. Forty-two hundred volunteers collectively contributed 82,000 hours of their time to these dance companies in 2013.

Our children love to dance. In 2013, over 625,000 Canadian kids and youths were registered in organized dance, making dance the third most popular organized physical activity.

I am proud to say that my riding of Davenport is rich with these dance programs and organizations, including Dreamwalker Dance Company.

In recognition of our love of dance, I would like to celebrate all those right across Canada who contribute to engaging Canadians through dance in their communities.

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AGRICULTURAL WALL OF FAME INDUCTEES

Mr. John Nater (Perth—Wellington, CPC): Madam Speaker, I rise today to congratulate this year's inductees into the Agricultural Wall of Fame at the Stratford Perth Museum: John and Mary McIntosh of Perth South and David Carson of Listowel.

These tremendous individuals were selected not only for their devotion to farming but for their extensive volunteer work in our rural communities.

David Carson is a world-renowned supplier of dairy cattle and Clydesdales. He contributes to 4-H programs, the Listowel Agricultural Society, and charity auctions, and in 2005 he hosted the International Ploughing Match at his farm.

John and Mary McIntosh have made tremendous contributions to the Perth County Federation of Agriculture, the Perth Environmental Farm Plan, the Ontario Agricultural Hall of Fame, the Perth County Dairy Producer Committee, St. Marys Memorial Hospital, and many local ploughing matches.

It is because of great community volunteers and leaders like John, Mary, and David that rural Ontario is such great place to live and grow.

I would like to thank them for all that they do and offer my congratulations.

* * *

RESPONSIBLE RESOURCE DEVELOPMENT

Mr. T.J. Harvey (Tobique—Mactaquac, Lib.): Madam Speaker, I rise today to recognize Earth Day 2016 and talk about responsible resource development, but first I would like to wish a happy belated birthday to my 8-year-old daughter, Sarah. She is the apple of my eye, and yesterday was her eighth birthday.

A clean environment and a strong economy do go hand in hand. Proper oversight, a robust consultation process, and protection of the environment are crucial to successful natural resource development projects, such as the energy east pipeline and the Sisson Partnership mining project, which is in my riding.

It is necessary to ensure sustainable, safe, and responsible resource development, as we need to ensure we use this earth in our interests and in the best interests of our children and leave a legacy for future generations, the generations of my daughter Sarah and her children.

Earth Day should be every day. As the indigenous American proverb states, “We do not inherit the land from our ancestors; we borrow it from our children.”

SOUTHERN RESIDENT KILLER WHALES

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Madam Speaker, I rise once again today to call for action to save the southern resident killer whales. These whales have great spiritual significance for first nations. They are an icon for Vancouver Island and an important part of our local tourism economy.

Despite the recent baby boom, they remain on the edge, especially as newborn orcas have a mortality rate exceeding 50%. The whales are doing their part, but our Canadian government, not so much. The southern residents were listed as endangered in 2003, and therefore the Species at Risk Act requires the Government of Canada to implement an action plan for their recovery. Thirteen years and three governments later, we still have no plan in place.

In 2013 I introduced a motion laying out the elements necessary for an effective recovery plan. In 2014, the Conservative government put forward a draft plan missing most of those elements, but even that weak plan is still sitting on the shelf.

I call on the Minister of Environment to act quickly to adopt an action plan for the southern resident killer whales that includes real action and the funding necessary to make sure that these orcas will continue to be here to inspire generations to come.

* * *

● (1105)

DON VALLEY REVITALIZATION

Mr. Robert Oliphant (Don Valley West, Lib.): Madam Speaker, today we celebrate Earth Day. Tomorrow I will join friends for neighbourhood and park cleanups as we enjoy nature in the beautiful Don Valley. Next weekend, I will paddle the Don, a river whose history has been inextricably linked to countless generations of Toronto residents since it was first known to the Ojibwa as Wonscotanach.

On Earth Day, we are reminded of our shared task to ensure that the Don Valley and its river will be a living place for generations to come. I am proud of the broad new efforts of our government, which is making progress on climate change and on protecting our national parks.

I am equally proud of local groups such as Friends of the Don East and the Evergreen Brick Works, which are working with the City of Toronto to restore the river that shaped Toronto and make better use of its adjacent green spaces.

On Earth Day, I thank the students, volunteers, planners, and architects who are working hard to revitalize the Don Valley, and I invite all members to discover the Don.

* * *

KELLARD WITT

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Madam Speaker, I rise today to pay tribute to a dear friend and long-time community stalwart, Kellard Witt.

Kellard was born on August 26, 1926, on Twin Creek Farm near Pembroke, Ontario. He recently passed away at the age of 89.

Kellard served his community in many ways, including as a municipal politician, and served 28 years on local council. He was forward thinking, serving as the inaugural chair of the Ottawa Valley Waste Recovery Centre and establishing Renfrew County as an environmental leader through practices such as waste diversion and recovery and green bin recycling, which were in place years before they were considered in more urban communities.

In many ways Kellard was my political mentor. He and his wife Shirley were always available to help in any task that he was called upon to do.

I first got to know Kellard as a man of deep and abiding faith. He was a pillar in the pro-life community, someone who was not afraid to walk the walk when it came time to talk the talk. I miss Kellard.

To all in his family, I share their grief. I thank Kellard for making a positive difference in the lives of so many.

* * *

VERDUN SKATE PARK

Mr. David Lametti (LaSalle—Émard—Verdun, Lib.): Madam Speaker, on this Earth Day, I would like to rise to congratulate the borough of Verdun, as well as Verdun youth and the Montreal skateboarding community on the Verdun skate park that will see its official opening on May 27.

[*Translation*]

This important piece of sports infrastructure and its training elements will be a place where young people, especially those who are marginalized and most at risk, can develop a passion for a culture, get some exercise, and develop perseverance. It will also be a place where diverse communities and multiple generations can cross paths and share experiences.

[*English*]

I look forward to visiting the park with my own children and I wish skateboarders, BMXers, and others who will enjoy this park a happy International Go Skateboarding Day this June 21.

* * *

EVENTS IN WEST NIPISSING

Mr. Marc Serré (Nickel Belt, Lib.): Madam Speaker, I rise in the house today to congratulate the Municipality of West Nipissing on its successful bid to host the International Plowing Match and Rural Expo. This is a community rich in resources, where the agriculture sector is a very prominent and vital part of the region's economy.

I am very proud of the many farmers in West Nipissing. Their hard work and dedication to their craft is very impressive.

[*Translation*]

This is the second time that the International Plowing Match will take place in northern Ontario since its first iteration in 1913, over 100 years ago. I am very proud of this unique opportunity to share everything the north has to offer. You are all invited to visit the beautiful municipality of West Nipissing.

[*English*]

We have the opportunity to showcase the variety of unique local agricultural products enjoyed by residents and tourists alike.

Congratulations, and I look forward to seeing everyone in the beautiful Municipality of West Nipissing.

* * *

LUCILLE PAKALNIS

Hon. Pierre Poilievre (Carleton, CPC): Madam Speaker, this place is always changing. People come and go, dramas flare up and flame out, and stars are born and then fall with the speed of light.

Over 12 years, five elections, seven offices, and three prime ministers, the one constant for me through it all has been my correspondence director of over a decade, Lucille Pakalnis. In that role, she has helped me respond to over 400,000 letters.

It will shock the House to learn that not all of them had nice things to say about me, yet despite the occasional tough customer, Lucille has literally never been in a bad mood—forever the happy warrior, never an unkind word about a colleague, and always there for the team. Because of Lucille, when I knocked on thousands of doors in the last election, not a single person told me that we had not responded to his or her letter.

As she moves on to the next phase of her career and her life, I ask all members to join with me in thanking her for over a decade of service to Parliament and all Canadians.

* * *

● (1110)

DIABETES

Ms. Pam Goldsmith-Jones (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Madam Speaker, I would like to invite all of my hon. colleagues to support the all-party juvenile diabetes caucus. There are 300,000 Canadians who live with type 1 diabetes.

I will never forget the day my daughter was diagnosed with type 1 diabetes. My husband was out of town, and as I drove her to the hospital in December, I had all the windows rolled down and I had to shake her the whole way to keep her from going unconscious. That night at British Columbia Children's Hospital in Vancouver, all she kept saying to me was, "I'm so sorry, Mum."

Children who live with chronic conditions take on a lot of responsibility, as do their families and friends. The overall incidence of type 1 diabetes is increasing, particularly among children one to 14 years old. Little children are diagnosed every day.

Canada has a rich legacy of innovation in type 1 diabetes research. From the world-changing discovery of insulin by Sir Frederick Banting and Dr. Charles Best to the Edmonton protocol to new areas of research, such as encapsulation and the artificial pancreas project, Canadian researchers are leading.

With gratitude for Canada's research scientists and their continued —

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Montarville.

* * *

[*Translation*]

RAIL SAFETY WEEK

Mr. Michel Picard (Montarville, Lib.): Madam Speaker, I want to let members know that Rail Safety Week is from April 25 to May 1 this year. This is an annual campaign organized by Operation Lifesaver to raise awareness and promote safety around trains and rail property.

[*English*]

The Government of Canada supports initiatives to maintain the safety of people and vehicles around rail facilities and supports safety in the transportation of dangerous goods by rail.

[*Translation*]

Our country has one of the largest rail networks in the world, and we have made it safer for everyone and all communities in Canada. That is what we will continue to do.

* * *

[*English*]

TAXATION IN ALBERTA

Mr. Matt Jeneroux (Edmonton Riverbend, CPC): Madam Speaker, Albertans are an amazing group of hard-working, dedicated people. However, they are being attacked by both the federal Liberals and the Alberta provincial NDP. These attacks are only making it harder for Albertans to get back up.

Last week the Alberta NDP announced its intention, in spite of the struggling economy, to continue moving forward on a provincial carbon tax. This tax would be on top of the Liberal pet project of a federal carbon tax. Alberta unemployment remains high, and families are finding it harder every day to make ends meet. These carbon taxes would increase food prices, increase the price of heating homes, and make it more expensive to fill up at the gas pumps.

This carbon tax would hit small businesses, the businesses and the very entrepreneurial spirit that Albertans are known for. These tax increases would be unfair to hard-working people across Canada, particularly in Alberta, where families are struggling to get by. Quite simply, now is not the time to be taxing Albertans more.

* * *

DAFFODIL MONTH

Ms. Kamal Khera (Brampton West, Lib.): Madam Speaker, I am honoured to speak in this House about Daffodil Month. April is a crucial month, when Canadian Cancer Society volunteers work to raise awareness to support life-saving research for Canadians living with cancer.

I have had the privilege to work as an oncology nurse and take care of many Canadians battling cancer, some of whom lost their lives, including my own Aunt Sadjiv. I am wearing my daffodil for their memory and to show support for all those fighting today.

We have made great progress in cancer research in Canada, but there is still so much more to do, so I ask everyone to wear their daffodil for the rest of this month to show support for Canadians living with cancer and for the research that will one day mean that no Canadian has to fear cancer.

* * *

EARTH DAY

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Madam Speaker, as we celebrate the earth today, I would like to take this opportunity to acknowledge and state my respect and solidarity with all indigenous people around the globe who stand to defend their traditional territories.

I would like to repeat the words of Solange Bordones, who has successfully led her council, pushing for collaboration with Barrick Gold over developing in their territory in southern Chile. She said, "We are not fighting for money, because with money I cannot water my garden. We have a cosmo vision, a particular view of the world, which few people understand: We do not think of the water as separated from the earth, the air, or the sun. Love for Mother Earth is something that is sacred to us. We are not descendants of original people; we are that people. Our ancestral power is rooted in our identity. That is, we identify ourselves by the land and our relationship with that land."

On Earth Day and every day, I stand by that philosophy.

* * *

● (1115)

ORGAN DONATION

Mr. Len Webber (Calgary Confederation, CPC): Madam Speaker, on the same day that this Liberal government introduced legislation to help Canadians die, it also refused to give more Canadians the chance to live.

It is quite disappointing that the Liberal government will not support a national organ donor registry, and it is very sad that we find this out on the eve of National Organ and Tissue Donation Awareness Week. Canada will remain the most developed nation in the world without a national registry.

More than 4,500 Canadians are waiting for an organ transplant. Every donor can save up to eight lives.

Next weekend at Confederation Park in Calgary, I will run in the 5th annual Canadian Transplant Association Transplant Trot. Transplants can have amazing impacts on so many lives, but we need more donors.

Canadians should talk to their families and their loved ones about their organ and tissue donation wishes.

I thank the hon. member for Edmonton Manning for his hard work on his initiative, Bill C-223.

[*Translation*]

EARTH DAY

Mr. Jean-Claude Poissant (La Prairie, Lib.): Madam Speaker, today is Earth Day, which is celebrated every year on April 22 by people all around the world. This day has been firmly entrenched in American traditions for the past 45 years, although it has been officially celebrated in Quebec only since 1995.

Over one billion people in 192 countries are celebrating Earth Day today by taking part in all kinds of activities to raise awareness about environmental issues. This day is more than just symbolic; it reminds us how important it is to take care of our planet.

What does it take to contribute? Little things count, such as planting trees or finding ways to repurpose our waste materials. We definitely all have an important role to play in looking after our beautiful planet, but we must not forget that our farmers are an important part of the solution to ensuring food security for future generations.

I often tell the people around me that we must always be mindful of this beautiful earth. It sustains us today, but it might destroy us one day if we do not look after it.

ORAL QUESTIONS

[*English*]

FOREIGN AFFAIRS

Hon. Jason Kenney (Calgary Midnapore, CPC): Madam Speaker, on March 17, United States Secretary of State John Kerry said that ISIS "is responsible for genocide", but five days later in this place, the minister of global affairs denied Secretary Kerry's recognition, saying instead that the U.S. wanted to do more research.

The British Parliament and the U.S. House of Representatives have unanimously endorsed a recognition of the genocide as such. ISIS itself does not deny its efforts to exterminate these historic communities, so why will the government not just recognize this genocide?

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Madam Speaker, the horrors committed by the so-called Islamic State have the hallmarks of genocide, but official recognition of genocide is to be done by a credible judicial process, following a proper international investigation, an investigation that we will do everything to support, as I have said to the UN special advisor on the prevention of genocide. Our U.K. ally has also said that the government is not a prosecutor, a judge, or a jury. Canada continues to stand side by side—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Calgary Midnapore.

Hon. Jason Kenney (Calgary Midnapore, CPC): Madam Speaker, that is legal pettifogging. Those are word games. This is not about a judicial process.

This House and the previous Conservative government recognized the historical reality of the Armenian genocide without an international judicial process. We did so with respect to other historic genocides. This is happening today. We do not have time to wait for lawyers. We do not want to give ISIS the benefit of the doubt in a judicial process. We need simply to reflect the reality that it is seeking to exterminate the indigenous communities of Mesopotamia. Why will the government not follow the lead of Britain and the United States and—

● (1120)

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. Minister of Foreign Affairs.

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Madam Speaker, that is why we have improved the plan to fight ISIL and to be sure that this awful terrorist group will stop killing people. Canada is more and more involved in a more effective way with our allies to be sure that we will win and that this terrorist group will stop its atrocities.

[*Translation*]

Hon. Jason Kenney (Calgary Midnapore, CPC): Madam Speaker, that is exactly why this government is refusing to recognize the genocide as such. This government decided to end Canada's combat mission against the genocidal terrorists of Daesh. It was this government that withdrew Canada's air force, which was combatting these genocidal terrorists in the Middle East.

Will the minister admit that the reason he is refusing to recognize the genocide as such is that Canada ended its combat mission?

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Madam Speaker, as my colleague knows, Canada has tripled its efforts to train combatants who are fighting this awful terrorist group on the ground. We have doubled our intelligence capacity in order to determine where this terrorist group is. We have enhanced our humanitarian and development assistance. We are supporting Jordan and Lebanon more than ever, and we will beat this terrorist group.

* * *

MINISTERIAL EXPENSES

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Madam Speaker, one thing that is typical of this government is that it likes to go on and on about its lofty principles, but its actions say quite the opposite.

Take transparency, for example. This government and its ministers must be accountable for all their expenses, yet a number of ministers have not yet reported their expenses. The example comes from the top. The President of the Treasury Board, the person who watches every penny spent every day by this government, was late in filing his expense report and did so only after we asked him questions.

Why do these paragons of virtue say one thing and do the opposite?

[*English*]

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Madam Speaker, Canadians deserve openness and transparency, and the Liberal Party has been a leader on that. In fact, it was a Liberal prime minister, Paul Martin, who was the first to proactively disclose the expenses of ministers. Then it was a Liberal leader, our Prime Minister, who in opposition led the charge on being the first party in the House of Commons to have open and transparent disclosure of MP's expenses, and other parties, sometimes reluctantly, followed suit.

We will continue to disclose our expenses, because it is the right thing to do.

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[*Translation*]

AIR CANADA

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Madam Speaker, it is always nice to hear someone on the government side talking about Paul Martin, who, unlike the current government, hated deficits.

Moving on to another issue, the Minister of Transport has been doing a lot of improvising with regard to Bill C-10, and that is putting it mildly. Yesterday morning, he was accusing the NDP. In the afternoon, he was saying that the Quebec minister did not understand, and in the evening, he had another answer.

Will the minister at least give us a clear and solid explanation today? Why is he imposing a gag order on Bill C-10? Is he going to rattle off yet another answer?

Hon. Marc Garneau (Minister of Transport, Lib.): Madam Speaker, I did not change my answer yesterday evening as my colleague said. We clearly explained the situation throughout the day.

The governments of Quebec and Manitoba intend to drop their lawsuit against Air Canada. That gives us, here at the federal level, the opportunity to clarify the Air Canada Public Participation Act, and that is what we are doing.

I hope that my colleagues in the House will work with us on this bill at all stages of the process.

* * *

THE ENVIRONMENT

Mr. Peter Julian (New Westminster—Burnaby, NDP): Madam Speaker, today, the Prime Minister is signing the Paris agreement on climate change.

Unfortunately, the Prime Minister seems to want to keep the same targets that the Conservatives set. The Liberals seem to be happy with that.

Aside from the rhetoric and pretty pictures, nothing has changed with this new Prime Minister. He has the same plan, the same timeframe, and the same targets as the Conservatives, and he seems quite happy with that.

How will the Prime Minister honour his commitment when he has no plan to achieve the Paris targets?

● (1125)

[*English*]

Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Madam Speaker, this government came to power after 10 years of inaction on the part of the previous government with respect to climate change. In the short six months that we have been in power, we have launched a pan-Canadian process to address this on a critical basis. We have been a constructive part of actually achieving the Paris agreement. Today, on Earth Day, I think Canadians are extremely proud that our Prime Minister is in New York to be one of the first signatories to the historic Paris agreement.

Mr. Peter Julian (New Westminster—Burnaby, NDP): Madam Speaker, talk is certainly cheap and Liberal talking points are even cheaper, but when it comes to Liberals talking about climate change without actually doing anything, the results are actually very expensive. Liberals signed the Kyoto accord with a promise to reduce emissions. By the time they left office, emissions had soared. Environment Canada just reported that they continue to rise under the new Liberal government. What a failure.

The Liberals claim to have a plan, so here is a very simple question. How many tonnes of greenhouse gas emissions are Liberals projecting to reduce in each of the next three years? No more talking points, just give some answers.

Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Madam Speaker, unlike my colleague on the other side of the House, this government recognizes that Canada is a federation and it actually involves the provinces. We are working actively with our provincial and territorial colleagues to develop a pan-Canadian process to reducing carbon emissions and to actually developing a robust, clean growth economy.

We are proud of the work we have done. We are proud of the work our Prime Minister has done. We are proud of the fact that he is one of the first signatories on this agreement in New York today.

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Madam Speaker, sadly, there are no answers and just more hot air from the Liberals on climate change. While the NDP government in Alberta is making strides, the lack of federal action leaves us failing to live up to our international commitments.

The new report from the Conference Board gives Canada a D when it comes to protecting the environment, trailing far, far behind other countries. Canadians cherish our environment, and it is part of our identity. When will the Liberals make actual progress on our commitment to review the process?

Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Madam Speaker, we agree with the results of the Conference Board of Canada. Ten years of inaction on the part of the previous government with respect to environmental matters relating to climate change, environmental assessments, and other things have left Canada in a very poor situation in the world in terms of our environmental record.

This government is taking firm steps on the climate agenda, to which I have already referred. We have committed to launching a review of our environmental assessment processes. This is a government that understands that the economy and the environment must go hand in hand in the modern age, and that is exactly what we are going to do.

[*Translation*]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Madam Speaker, the fight against climate change is the greatest challenge of this century. We have a moral duty to exhaust all appropriate means of addressing this issue.

Rhetoric, pretty pictures, and inaction are no longer enough. Young people are counting on all of us in the House to take action and get this done.

Can the Prime Minister explain to young people and children how he will meet the Paris targets when he has no plan to do so? Will this be yet another fiasco like Kyoto?

[*English*]

Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Madam Speaker, I would highlight some of the significant investments this government made in the budget. We have made significant investments in public transit, a billion dollars in clean tech, and a range of investments to address climate change. We have embarked on a pan-Canadian discussion that will allow us to work with the provinces proactively to address climate emissions.

This is the most that any Canadian government has done in the last 30 years. We intend to achieve our targets. We intend to be part of a productive international conversation. That is exactly what we will do.

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IMMIGRATION, REFUGEES AND CITIZENSHIP

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Madam Speaker, the Liberals are very good at self-promoting the refugee initiative. However, private sponsorship groups from Newfoundland have had to turn to a letter-writing campaign to demand action on their stalled applications. There are countless groups across the country in this position.

Private sponsorship groups provide refugees with an instant support network and immediately help families transition to their new life in Canada. Therefore, if the refugee initiative is as successful as the Liberals claim, why are these private groups being ignored, while at the same time government-sponsored refugees have to rely on food banks?

Mr. Arif Virani (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Madam Speaker, the outpouring of support for the national effort to settle refugees in the country has been overwhelming. As the minister has stated repeatedly in the House, a grand national project of this size and scope is not without its challenges.

We have met targets to bring in 25,000 individuals by the end of February. We are working to bring in 44,800 humanitarian people under the refugee category alone in 2016. That includes government-sponsored individuals and privately-sponsored individuals. We are thankful for the incredible support in Newfoundland and other provinces, and we are working to address those needs as quickly as possible.

● (1130)

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Madam Speaker, these targets should include quality of life for these refugees. More than a dozen Ottawa food banks have reported an increased demand coming from government-sponsored Syrian refugees. Most of these families have turned to the Gloucester Emergency Food Cupboard, where 75 Syrian families, for a total of over 400 people, have registered at the food cupboard.

Will the minister tell the House what his plan is to address the needs of these families, or will he simply try to set up yet another photo op?

Mr. Arif Virani (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Madam Speaker, I welcome the question from the opposition critic and her concern for the welfare of refugees in our country. We obviously share that concern. Our government shares it. I share it as a refugee myself. However, I find it highly implausible and a bit, let us say, inconsistent for that party to talk about the quality of life for our refugees when it eliminated health care for refugee applicants, in violation of the charter, when it was in office.

Mr. Bob Saroya (Markham—Unionville, CPC): Madam Speaker, support groups from across the country are struggling to meet the needs of refugees brought to Canada. Government-sponsored refugees are using food banks to meet their day-to-day needs. They are not gaining language training services and they are not being empowered to successfully transition to life in Canada.

Why did the Liberals focus on bringing in government-sponsored refugees if they had no plan to support these refugees?

Mr. Arif Virani (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Madam Speaker, the answer to that is simple. We concentrated on government-assisted refugees because we take seriously the duty of care that Canada has on the international stage to respond to a national and international humanitarian crisis.

To purport that these individuals are being left unattended to or unsupported by the government is simply incorrect. The statistics speak to $600 million of settlement funding directed at the refugees themselves. Are there barriers along the way? Of course. Are there challenges we are trying to address? Of course. We are doing that in solidarity with Canadians who believe in this effort and believe in this government's response.

Mr. Bob Saroya (Markham—Unionville, CPC): Madam Speaker, the Edmonton-based Islamic Family and Social Services Association has said, "The government needs to step up" and that it needs to boost support for Syrian refugees who are increasingly turning to the food banks to eat. One representative said, "It's a huge problem", that the Liberals are "not great with helping them resettle". Did the Liberals just pick an arbitrary number and think they could wash their hands clean of the rest?

Mr. Arif Virani (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Madam Speaker, the answer to that is no. Again, I am refreshed by the fact that a member of the Conservative opposition is actually citing an Islamic-based organization in Edmonton to support his proposition.

If we recollect, our position was not only to accept 25,000 refugees into our country by February 29, but also to accept them no matter what race, religion or perhaps persuasion they came from. This is a distinct contrast to the policy of the previous government, which cherry-picked religious minorities to the detriment of Sunni Muslims.

Mr. John Brassard (Barrie—Innisfil, CPC): Madam Speaker, I wish my arms were long enough so I could pat the hon. member on his back.

On Tuesday, I asked the Minister of Immigration, Refugees and Citizenship about the Liberals wasting $6.4 million to renovate Canadian forces bases for refugees who never came. The minister's response was, "My colleague beside me, the Minister of National Defence, confirms there is nothing truthful in the member's comments about defence."

The Minister of National Defence knew that money was spent. Why did the Minister of National Defence give the Minister of Immigration false information, and why did they both mislead Canadians?

Hon. John McKay (Parliamentary Secretary to the Minister of National Defence, Lib.): Madam Speaker, the CAF has been engaged, along with other elements in the government, in this massive repatriating of these refugees. It has contributed to the medical screenings, to the air lift, and to the potential housing. However, because Canadians have stepped up, the housing that was renovated at the time, in anticipation of the refugees coming to our country, was not used.

The happy consequence is that these refugees are—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Barrie—Innisfil.

● (1135)

Mr. John Brassard (Barrie—Innisfil, CPC): He did not answer the question, Madam Speaker. Maybe I will try one more time.

One would think that those two ministers would have a handle on what is going on, considering how closely they supposedly worked on this file. Our Order Paper question, signed off by the Minister of National Defence, confirmed that this money was in fact spent on barracks which were never used.

Did the Minister of National Defence not know what he signed, or is he deliberating trying to mislead Canadians?

Hon. John McKay (Parliamentary Secretary to the Minister of National Defence, Lib.): Madam Speaker, it is only the Conservative opposition that can turn happy news into bad news.

Surely to goodness it is good news that the barracks did not have to be used. Surely to goodness the ultimate deployment of $6 million to upgrade the facilities is good news. The good news is that all of these refugees are now located where they should be, in the towns and cities across the country.

[*Translation*]

INDIGENOUS AFFAIRS

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Madam Speaker, six years ago, Canada endorsed the United Nations Declaration on the Rights of Indigenous Peoples. Since then, little has been done to implement it.

The bill I introduced yesterday for the second time would ensure that the laws of Canada are in harmony with the declaration. The Prime Minister gave his ministers a mandate to establish a new nation-to-nation relationship starting with the implementation of the declaration.

My question is a simple one. Will the Liberals support my bill as they did when they were in opposition, or not?

Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.): Madam Speaker, I thank my colleague for his long-standing commitment to reconciliation.

The government is absolutely determined to implement the United Nations declaration. We have to work with First Nations, the Inuit, and the Métis Nation to examine all of the implementation mechanisms available, including legislation.

The bill was just introduced, and we are examining it.

[*English*]

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Madam Speaker, yesterday, in New York, the Prime Minister told a group of American students that Canada did not have the baggage of colonialism. Maybe that explains why six days after taking office, the government signed a deal to let the Catholic church off the hook in terms of its financial obligations to residential school survivors.

How can the government talk about reconciliation when it is signing secret deals that undermine restitution?

Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.): Madam Speaker, this government did not sign an agreement. The agreement was signed on October 30, five days before the new government took office.

We believe the Catholic church and only the Catholic church can achieve its own reconciliation with indigenous people in our country. We are urging it to do the right thing, pay the money that it promised to pay. It has a moral obligation to do this for the healing of indigenous people.

In clarification, the Prime Minister—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Carleton.

* * *

TAXATION

Hon. Pierre Poilievre (Carleton, CPC): Madam Speaker, clause 34 of this week's budget bill raises the tax rate on small businesses by a half point, a point, and a point and a half over the next three respective years. This contradicts the Liberal platform and the Prime Minister's mandate letter to his minister to maintain the low 9% rate that the previous Conservative government had enacted.

Would the Liberals entertain a friendly amendment, which would use wording right out of their election platform, to keep the rate low at 9% so our job creators can flourish and hire more Canadians?

Mr. François-Philippe Champagne (Parliamentary Secretary to the Minister of Finance, Lib.): Madam Speaker, let us be clear once and for all on this issue. The tax rate for small businesses went from 11% to 10.5% as of January 1, 2016. Those are the facts.

What Canadian businesses need is a strong economy, and it is exactly what budget 2016 would do. We are investing in infrastructure. We are investing in innovation. We are investing in clean tech. Canadian businesses are going to benefit from this budget, and Canadian families as well.

● (1140)

[*Translation*]

Hon. Pierre Poilievre (Carleton, CPC): Madam Speaker, the lower tax rate for small businesses had already been put in place by the previous Conservative government. The Liberals did nothing to make that happen. On the contrary, they introduced a bill this week that will raise the small business tax rate by 1.5% over the next three years. This goes against their own election platform.

Would they agree to an amendment to implement their own election platform and allow our small businesses to keep more of their own money?

Mr. François-Philippe Champagne (Parliamentary Secretary to the Minister of Finance, Lib.): Madam Speaker, I thank my hon. colleague for his question.

Let us get the facts straight on this. The tax rate for small businesses went from 11% to 10.5% in January 2016. Our commitment during the election campaign was to invest in the Canadian economy specifically to benefit small businesses, Canadian families, and the middle class.

That is exactly what we did in budget 2016 and exactly what we will continue to do.

[*English*]

Mr. Matt Jeneroux (Edmonton Riverbend, CPC): Madam Speaker, let me re-establish the facts. Every time we turn around, the Liberals are destroying opportunities for job creators. The Liberals are knee-capping the clean technology sector by eliminating the hiring credit for small businesses. This tax credit helps small companies hire the people they need to develop clean technologies and bring those clean technologies to market. Under the Conservatives, this sector saw consistent growth.

Why do the Liberals believe this tax is a great idea even though it is killing the sector they so eagerly pretend to support?

Mr. François-Philippe Champagne (Parliamentary Secretary to the Minister of Finance, Lib.): Madam Speaker, I would invite my hon. colleague to read the entire budget. What we have done is historic. We are investing $1 billion in clean tech across the country to ensure we can invest in innovation and new technology. That is what Canadians wanted; that is what we are delivering.

Mr. Tom Kmiec (Calgary Shepard, CPC): Madam Speaker, business professionals are worried about the Liberal tax hikes on small professional corporations. Dr. Melanie, a physician in my riding, has said that these tax changes would mean less clinical hours in the community. That means less front-line health services.

The Prime Minister thinks small businesses are just ways for wealthier Canadians to avoid taxes. Dr. Melanie is a hard-working GP serving her community, not a wealthy tax dodger.

When are the Liberals going to shelve these tax hikes and stop punishing hard-working doctors like Dr. Melanie?

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Madam Speaker, I would like to thank the member opposite for reminding Canadians and all members in the House that this budget is squarely focused on revitalizing the Canadian economy, and that is what small businesses need most.

We are engaging with small businesses and with Canadians. Our investments in budget 2016 will grow the economy. Increased economic growth is good and it is better for businesses. More orders and more sales mean better business. Our small business owners will be—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Victoria.

* * *

THE ENVIRONMENT

Mr. Murray Rankin (Victoria, NDP): Madam Speaker, yesterday a new report from the parliamentary budget officer highlighted the lack of a national strategy for dealing with greenhouse gas emissions and how our current approach is going to cost us all dearly.

Liberals continue to operate under the old Conservative plans and targets. They are great at environmental rhetoric, but time and again they fall down on getting anything done. The parliamentary secretary just refused to answer this question, so let us try again. Exactly how much will greenhouse gas emissions be reduced in each of the next three years?

Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Madam Speaker, I am not sure if the hon. member was listening, but Canada is a federation, and that involves provinces and territories. The Canadian government is working with the provinces and territories to develop a pan-Canadian framework that is focused on reducing emissions and on investing in the clean growth economy. We will be working over the next several months with our provincial counterparts to develop that. We are also working in conjunction with our American partners and have already announced a number of measures in that regard.

This is the responsible and the Canadian way to approach things, and this is exactly what we are going to do.

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Madam Speaker, the protection of species at risk was last on the list of Conservative priorities. In fact, 82 species had been recommended for inclusion in the species at risk public registry. Of course, the Conservatives did nothing, and we are still waiting for action.

The Liberal minister has had six months, but she has not done anything either. This is not complicated. We are talking about adding species to the registry, as already recommended.

When will the minister finally take action on this?

● (1145)

[*English*]

Hon. Hunter Tootoo (Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.): Madam Speaker, I wish a happy Friday to everybody.

I would like to thank the member for her question, and I could not agree with her more; it was an issue that was totally ignored by the previous government. I would like to inform the member and this House that actually yesterday I signed off on a whole bunch of those things, and we are addressing the backlog that is there.

Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.): Madam Speaker, last fall we campaigned on a promise to finally take action on climate change. Canadians understand that the economy and the environment are not two separate issues; they go hand in hand.

To that end, I understand that the Prime Minister is in New York today to formally sign the Paris agreement on climate change. Could the Parliamentary Secretary to the Minister of Environment and Climate Change please inform this House about the important step that the Prime Minister is taking today?

Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Madam Speaker, this government came into office after 10 years of complete and utter inaction on climate change on the part of the previous government.

Since elected, this government has played a very significant role in the achievement of the historic Paris agreement. It has launched a federal-provincial-territorial process to develop a pan-Canadian plan to reduce emissions and to invest in the clean growth economy. We have concluded significant measures with our American friends relating to methane emissions and a number of other measures.

We have done an enormous amount in six months. On Earth Day, I am extremely proud that the Prime Minister is signing an historic agreement in New York today.

* * *

[*Translation*]

VETERANS

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Madam Speaker, the Liberal government recently announced that it was setting up six ministerial advisory groups at Veterans Affairs Canada. Veterans are wondering about that and are talking to me about it more and more.

Can the minister explain to the House the precise mandate of these groups?

[*English*]

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Veterans Affairs, Associate Minister of National Defence, Lib.): Madam Speaker, I thank the hon. member for the question. It is an excellent question, because this is something I really want to share with the rest of the House.

The Minister of Veterans Affairs wants to find out what the issues are for veterans. He wants to give veterans the opportunity to come to Ottawa to sit down with the people and share that information. In the past, that information had been controlled. I am going to sit down with all of these six groups, and we are going to find out, and we are going to—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Beauport—Limoilou.

[*Translation*]

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Madam Speaker, that is very good and quite commendable.

Nonetheless, beyond the mandate of these six advisory groups, the veterans want to know the following. Who will be part of these groups? What qualifications are needed to sit on them? Do members of the group have to sign non-disclosure agreements?

Veterans expect transparency. They want to know why the list of members of each of these advisory groups has not been made public yet.

[*English*]

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Veterans Affairs, Associate Minister of National Defence, Lib.): Madam Speaker, I appreciate the question because it is about making sure that this government consults and gets out there, gets the right information, and gets the advice it needs in order to make the right decisions.

Right now, because of the inaction of the previous government, the list of work that needs to be done in Veterans Affairs is huge.

We need to talk to all these different groups of people to find out how to prioritize all this work that needs to be done.

* * *

NATIONAL DEFENCE

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Madam Speaker, the Liberals are cancelling funding for the integrated soldier system project. This is a uniform that protects the individual soldier from chemical and radiological weaponry and enemy fire.

Who can forget when the Liberals sent our soldiers into the desert of Afghanistan in forest green combat fatigues, making them targets?

Why do the lives of the women and men who serve in the Canadian Armed Forces mean so little to the Liberals?

● (1150)

Hon. John McKay (Parliamentary Secretary to the Minister of National Defence, Lib.): Madam Speaker, members will be interested to know that in the last four years, while that member's government was the majority government, it cut back the funding for the forces by $3.3 billion. It took lapsing to an art form, to the point that it has lost a lot of money that was available for the men and women in uniform that she professes to be concerned about.

Had her government done the proper procurement cycles, we would not have the problems that she—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Saskatoon—University.

* * *

FINANCE

Mr. Brad Trost (Saskatoon—University, CPC): Madam Speaker, the Liberals' first budget goes out of the way to discriminate against the Province of Saskatchewan. Saskatchewan receives less than 1% of federal funding for transportation infrastructure in this budget, even though it represents 3% of the population of Canada.

Under the Conservative government, transportation funding was allocated on a per capita basis.

Why is the government shortchanging the people of Saskatchewan?

[*Translation*]

Mr. Pablo Rodriguez (Parliamentary Secretary to the Minister of Infrastructure and Communities, Lib.): Madam Speaker, that question gives me the opportunity to say how pleased I am with the budget and with how much money is being invested in infrastructure. A record $60 billion is being invested, including $20 billion in public transit infrastructure.

That is excellent news for all the provinces, communities, and municipalities. The hon. member should be pleased as well.

* * *

PORT INFRASTRUCTURE

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Madam Speaker, for the second year in a row, the research vessel belonging to the Université du Québec à Rimouski, the *Coriolis II*, will have nowhere to dock. Actually, it will have a place to dock, but it will be in Quebec City, 300 km from Rimouski. Why? Because the federal government declared the west pier at the port of Rimouski to be condemned after neglecting it for many years.

This situation is unacceptable for one of our country's leading oceanographic research institutions.

Despite the efforts made over the past six months to get the minister's office to take action, there is still no plan to remedy the situation. The minister's office is being very cavalier about this extremely urgent situation.

Will the Minister of Transport take his responsibilities seriously and help find a plan to solve the problem at the port of Rimouski?

Hon. Marc Garneau (Minister of Transport, Lib.): Madam Speaker, my colleague informed me of the problem. We are looking into that situation and the situations of other ports under federal jurisdiction.

Oral Questions

CANADIAN HERITAGE

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Madam Speaker, Avis de recherche is a public interest television channel. No channel gives a higher priority to such issues as missing children and other missing persons, action on violence against women, and crime prevention than Avis de recherche. However, if nothing is done, the channel will have to shut down next week because of a CRTC decision.

The minister can intervene under the law. What is she waiting for to do so?

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Madam Speaker, I thank my colleague for her question.

I am very aware of the demands that Avis de recherche, or ADR, is making and of its mission to broadcast important information. From what I understand, ADR still has its licence and can therefore develop the full potential of its licence.

Furthermore, the CRTC is the one that made the decisions regarding this channel, and as my colleague is well aware, under the the Broadcasting Act the CRTC has the sole authority to order mandatory distribution.

[*English*]

Hon. Peter Van Loan (York—Simcoe, CPC): Madam Speaker, next year Canada observes the 150th anniversary of Confederation, but a funny thing happened on the way to the celebrations: the new government left out Confederation. When the minister introduced the themes for the 150th anniversary of Confederation, Confederation was not there, not even the subject of Canadian history is a theme.

Why the Liberal war on history?

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Madam Speaker, I would like to stress to my hon. colleague that we have many programs within Canadian Heritage which are in line with celebrating the important landmarks of Canadian history.

That being said, I would also like to stress that I will not take any lessons from a past government that forgot to include indigenous people as part of their way to commemorate our history. That is why the reconciliation with indigenous people will be part of the 150th anniversary.

● (1155)

Hon. Peter Van Loan (York—Simcoe, CPC): Madam Speaker, at committee, the minister justified excluding Confederation from the 150th anniversary themes by saying "...we shouldn't play politics with [it]".

Admittedly, Conservatives John A. Macdonald and George-Étienne Cartier drove the project, but Macdonald's archrivals, George Brown and Oliver Mowat, were partners and full founding fathers. In fact, Confederation is the ultimate bipartisan example of Canadian nation building.

Why will the Liberal government not make Confederation a theme of the 150th anniversary of Confederation?

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Madam Speaker, as my colleague will know because he was involved in the past government, there are programs within Canadian Heritage to support the history of Confederation. For example, last year, an entire play was supported 100% by Canadian Heritage on Sir John A. Macdonald. In that context, we will continue to support historical landmarks.

I must stress again that we will make sure to put emphasis on—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Barrie—Springwater—Oro-Medonte.

* * *

TOURISM INDUSTRY

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Madam Speaker, the Liberals have proven that they simply cannot be trusted to spend taxpayers' money responsibly. With their vanity trips to Hollywood, and now to a gym in New York, the Liberal government is all about photo ops and self-promotion.

We are worried about where the Liberals will spend this $50 million dedicated to Destination Canada.

Can the minister stand in the House today and tell us how the money will be spent, and how much of it will be spent on advertising?

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Madam Speaker, the tourism industry is an economic driver and a job creator, which is great. We recognize that $50 million has been committed to Destination Canada. We know that the previous government had no problem cutting tourism because it did not see the value in it. We will be working closely with Destination Canada. We will ensure that we have a presence on the international stage. Canada is a country that everyone should visit. We know that we offer the best and brightest.

We look forward to ensuring the dollars are spent well. Destination Canada is excited, and Canadians are—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Glengarry—Prescott—Russell.

* * *

[*Translation*]

CANADIAN HERITAGE

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Madam Speaker, to ensure greater transparency and efficiency, and in keeping with this government's approach, the Minister of Canadian Heritage recently delegated significant authority for the funding of various organizations.

Can the minister share with us the purpose of this delegation of authority and the results to date?

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Madam Speaker, I would like to thank my colleague for his important question.

Again this week, I received some very positive comments from different organizations that we support because with this delegation of authority, funding applications are processed much more quickly.

Payments are now being made two to four months earlier than before. One can only imagine what a pleasant surprise this must be for the organizations. We are now working on multi-year agreements to enhance organizations' planning process.

The issue has finally been solved.

* * *

[*English*]

CONSULAR AFFAIRS

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Madam Speaker, on March 11, I asked the Liberals if they could tell us the status of Canadians John Ridsdel and Robert Hall, and two others held captive in the Philippines. The parliamentary secretary assured us that he was on top of the file.

We would like to see our fellow Canadians return home alive, so would the Liberals give us an update today on the situation?

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Madam Speaker, I want to thank my colleague for the question. I know that she cares a lot, the whole House cares a lot, and she will understand that under the circumstances, it is preferable that I do not comment further.

* * *

SCIENCE AND INNOVATION

Mr. Sean Fraser (Central Nova, Lib.): Madam Speaker, we all know the importance of Canadian research to the national economy. Science and innovation help create economic growth, foster a positive environment for entrepreneurs, and find new solutions for sustainable economic development. For these advancements to take place, we must ensure that researchers have the tools and resources they need.

Could the Parliamentary Secretary for Science tell the House what our government is doing to ensure research infrastructure is properly funded?

● (1200)

Mr. Terry Beech (Parliamentary Secretary for Science, Lib.): Madam Speaker, in response to my hon. colleague's question, I am proud to say that we are delivering on our promise to restore science to Canada. Budget 2016 announced $2 billion to promote economic growth by improving research and innovation infrastructure at Canada's post-secondary institutions. These investments provide our research community with access to state-of-the-art facilities and equipment.

These important tools will be used to make new discoveries that will better the lives of Canadians and grow our economy. This is a great investment in science and it is a great investment in Canada.

* * *

PHYSICIAN-ASSISTED DYING

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, people choose a medical career because they want to care for the sick, but without conscience protection, doctors in Ontario will now be forced to facilitate killing. Dr. Nancy Naylor of Strathroy, Ontario, will not be renewing her licence. Dr. Naylor has practised family and palliative medicine for 40 years. She writes, "I have no wish to stop. But I will not be told that I must go against my moral conscience...".

Will the government implement conscience protection in euthanasia legislation and let Dr. Naylor continue her vital work?

Hon. Jane Philpott (Minister of Health, Lib.): Madam Speaker, I am aware of the excellent work of Dr. Naylor and I am pleased that she has had such an illustrious career in palliative care.

One of the reasons that we introduced Bill C-14 was the fact that Canadians need access to all options for care at the end of life. We are committed in this government to make sure, as the Supreme Court has indicated, that people have access to assistance in dying, and I am pleased that people like Dr. Naylor are also providing assistance for people to live well until the end of their lives.

* * *

[*Translation*]

THE MONARCHY

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Madam Speaker, the British monarchy has caused irreparable harm to Quebeckers. This week, another survey indicated that 80% of Quebeckers are not in favour of the monarchy.

In response, the Minister of Canadian Heritage arrogantly, or perhaps out of ignorance, said that we had made the decision to be a constitutional monarchy.

Can the Minister of Heritage tell us when Quebeckers made that decision? Was it when the monarchy imposed the Act of Union in 1840 or Confederation in—

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. Minister of Canadian Heritage.

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Madam Speaker, as the House knows, it was the Queen's 90th birthday yesterday, and we celebrated the occasion. I would once again like to wish the Queen a happy birthday and remind members of her importance as Canada's head of state.

Some hon. members: Hear, hear!

* * *

THE ENVIRONMENT

Ms. Monique Pauzé (Repentigny, BQ): Madam Speaker, today, April 22, is Earth Day, and the Prime Minister just signed the Paris agreement on climate change.

However, the parliamentary budget officer said yesterday that without a major change of course, the greenhouse gas reduction targets are unrealistic. What is worse, even the Conservatives' old inadequate targets are not being met, but the Prime Minister is giving his word to the entire world.

Does the Prime Minister realize that he will not be able to keep his word unless he puts an end to the energy east pipeline project?

[*English*]

Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Madam Speaker, let me once again say how proud I personally am that the Prime Minister of Canada is in New York to sign the historic Paris agreement.

Our government is also incredibly proud and I think Canadians are proud of the work that Canada has done with respect to climate change since coming into office.

The parliamentary budget officer's report discussed the pathway on climate change. It is one pathway. What we are focused on is developing a pan-Canadian pathway that is inclusive, that brings in the provinces, territories, and indigenous peoples to create a strategy that is a Canadian strategy that will allow us to manage our emissions down while concurrently creating a clean growth economy.

* * *

[*Translation*]

ECONOMIC DEVELOPMENT

Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ): Madam Speaker, Quebec's entrepreneurial legacy is in jeopardy.

Federal law makes it more lucrative to sell one's business to a stranger than a family member. The difference can be equivalent to the price of a luxury home. That is unacceptable. The Government of Quebec has called for change.

Last week, I sent a letter to the minister. This morning, the president of CGI Group made a heartfelt plea. When will the federal government stop being indifferent towards Quebec companies?

● (1205)

Mr. Greg Fergus (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.): Madam Speaker, I thank my hon. colleague for his question.

Our government is committed to creating a positive economic environment that is conducive to helping businesses succeed across the country. We will continue to support innovative Canadian companies, so that they can prosper in this competitive global environment.

Then, we will do everything we can to ensure that jobs and innovation remain in our economy, through programs—

The Assistant Deputy Speaker (Mrs. Carol Hughes): Order. That concludes oral question period for today.

ROUTINE PROCEEDINGS

[*Translation*]

HOUSE OF COMMONS ADMINISTRATION

The Assistant Deputy Speaker (Mrs. Carol Hughes): I have the honour to lay upon the table the 2016-2019 strategic plan for the House of Commons administration.

[*English*]

The Assistant Deputy Speaker (Mr. Anthony Rota): Order. I would like to remind the hon. members that the House continues and proceedings continue. I am sure you all have some very important things to say to each other, but if you could just take the conversation into the lobby, that would be very much appreciated.

The hon. parliamentary secretary.

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GOVERNMENT RESPONSE TO PETITIONS

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to three petitions.

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INTERNATIONAL TRADE

Mr. David Lametti (Parliamentary Secretary to the Minister of International Trade, Lib.): Mr. Speaker, pursuant to Standing Order 32(2) I have the great honour to enthusiastically table, in both official languages, the treaty entitled, "Protocol to the 2007 World Wine Trade Group Agreement on Requirements for Wine Labelling concerning Alcohol Tolerance, Vintage, Variety, and Wine Region", done at Brussels on March 22, 2013, and entered into force on November 1, 2013. An explanatory memorandum is included with this treaty.

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EMPLOYMENT INSURANCE

Mr. Rodger Cuzner (Parliamentary Secretary to the Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, pursuant to the Employment Insurance Act, section 3, I am pleased to submit to the House, in both official languages, copies of the 2014-15 employment insurance monitoring and assessment report. I request that the report be referred to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

● (1210)

COMMITTEES OF THE HOUSE

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Mrs. Deborah Schulte (King—Vaughan, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Environment and Sustainable Development entitled, "Main Estimates 2016-17: Vote 1 under Canadian Environmental Assessment Agency, Votes 1, 5 and 10 under Environment and Votes 1 and 5 under Parks Canada Agency".

[*Translation*]

PUBLIC SAFETY AND NATIONAL SECURITY

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Public Safety and National Security concerning Bill C-7, An Act to amend the Public Service Labour Relations Act, the Public Service Labour Relations and Employment Board Act and other Acts and to provide for certain other measures.

[*English*]

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

* * *

[*Translation*]

INCOME TAX ACT

Mr. Peter Julian (New Westminster—Burnaby, NDP) moved for leave to introduce Bill C-263, An Act to amend the Income Tax Act (hearing impairment).

He said: Mr. Speaker, I would like to thank my colleague from Abitibi—Baie-James—Nunavik—Eeyou for the work he does in the House and his tremendous understanding of the challenges Canadians with disabilities must overcome. I would like to thank him for seconding the bill.

More than three million Canadians are deaf or hearing impaired. Unfortunately, the current regulations governing the tax credit are such that almost none of these people can access the credit. That has to change. That is why I am introducing this bill today.

[*English*]

I am presenting this bill because, quite frankly, when we see the millions of Canadians who are deaf, deafened, or hard of hearing, who are simply not able to access the disability tax credit because of regulations that are simply far too severe, there has to be change. I must say that the bill is supported by the Canadian Hard of Hearing Association and the Canadian audiologists association, and all the Canadians who are deaf, deafened, or hard of hearing who believe that they, too, should have access to the disability tax credit. I hope that all members of Parliament will support this important legislation.

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

Routine Proceedings

PETITIONS

FALUN GONG

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I have the honour to present a petition signed by hundreds of Canadians.

The petitioners are calling on Parliament and the Government of Canada to quickly call for an end to the persecution of Falun Gong in China.

INDIGENOUS AFFAIRS

Mr. Don Rusnak (Thunder Bay—Rainy River, Lib.): Mr. Speaker, boil water advisories in first nations communities have existed for a long time. In fact, well over 80 boil water advisories exist in first nations communities today.

Accordingly, I present this petition on behalf of concerned Canadians. The petitioners are calling on the minister to develop a plan, and implement that plan, to end the boil water advisories in first nations communities no later than by the end of calendar year 2020.

FEDERAL ADVOCATE FOR CHILDREN

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure today that I table a petition that advocates for an independent office of the federal advocate for children and young persons.

Coming out of Manitoba where we do have a child advocate, these are individuals who truly believe that our children need to have a strong advocate. I think this petition is well worth supporting or at least considering.

● (1215)

INTERNATIONAL DEVELOPMENT

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, I rise to present a petition from the people of Victoria, calling on the government to allocate 0.7% of Canada's GDP to official development assistance by the year 2020.

I was pleased to meet last week with my friends at Results Canada, who are powerful advocates for this initiative. It was former prime minister Pearson who set that target way back in 1970, and we have yet to meet it. Indeed, we are falling far short of it today.

We can and must do more to achieve the UN sustainable development goals, and these petitioners ask us to begin that work today.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all questions be allowed to stand.

The Assistant Deputy Speaker (Mr. Anthony Rota): Is that agreed?

Some hon. members: Agreed.

[*Translation*]

PRIVILEGE

AIR CANADA PUBLIC PARTICIPATION ACT

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, I am raising a question of privilege in the House of Commons with respect to misleading information that the Minister of Transport and the Parliamentary Secretary to the Minister of Transport gave to the House about the litigation involving Quebec and Air Canada and arising from the Air Canada Public Participation Act.

Here are the facts. On Wednesday, the House made two decisions with respect to the Liberal government's argument justifying the rush vote at second reading on Bill C-10, the Air Canada bill. It was the same argument the government has been making for months, but the facts on which it based its argument are inaccurate. The Government of Quebec refuted them yesterday morning.

In question period yesterday, the Minister of Transport continued to supply the same false information that the Government of Quebec had refuted just that morning.

On Wednesday, the House made two major decisions, decisions that could lead to the permanent demise of 2,600 jobs in the aerospace sector, including 1,800 in the Montreal area, most of them in the riding represented by the member for Saint-Laurent.

First, we voted on a time allocation motion to end debate on Bill C-10. As a result, Quebeckers represented by Bloc Québécois members were silenced at second reading in the House, which is why I have chosen to speak up now.

Then, the House voted on the bill at second reading. The government claims that rushing the vote was essential because the NDP had moved an amendment to withdraw the bill.

We understand that the NDP tabled its amendment to demonstrate its opposition to Bill C-10. Government bills rarely receive unanimous support in the House of Commons. Does the fact that some members oppose a bill justify time allocation?

To answer that question in the affirmative would be to deny parliamentary democracy. We understand very well that fallacious arguments are part of the debate and that disagreements between members are to be expected and are fodder for debate. The House made those two decisions in good faith, and I have no doubt about that.

This brings me to the vote on Bill C-10 at second reading. The House voted based on two pieces of false information that had been presented by the Minister of Transport.

On Wednesday, at 4:25 p.m., he said, and I quote, “Air Canada, the Government of Quebec, and the Government of Manitoba have stopped their litigation”. At 4:30 p.m., he added, “the Province of Quebec...decided, after discussions with Air Canada, to drop the lawsuit”. At 4:35 p.m., he said, “the Government of Quebec and the Government of Manitoba have decided they will not pursue Air Canada”.

Then, at 4:42 p.m., during his very last intervention, the minister closed the debate saying, “the reason we have proceeded with the bill is very simple. It is because the provinces of Quebec and Manitoba have come to an agreement with Air Canada, and they are dropping their litigation.”

I want to emphasize the word “reason”. The minister gave the House false information. Quebec did not drop its litigation. Quebec never decided to withdraw from the lawsuit. Litigation between the Government of Quebec and Air Canada is ongoing.

That is essentially what Quebec's minister of the economy said during her status update on the issue, which contradicted the information presented by the minister and the parliamentary secretary.

In response to our question yesterday, the Minister of Transport decided to stay the course and keep contradicting what the Government of Quebec said, and I quote:

“We decided to amend the Air Canada Public Participation Act precisely because the governments of Quebec and Manitoba decided to drop their lawsuits against Air Canada.”

These are repeat offences of making false statements over the course of several weeks. In reoffending, it seems clear to me that the government deliberately misled and continues to mislead the House by providing false information.

The request that the Government of Quebec filed with the Supreme Court on February 23, is further proof of this, and I quote, “An agreement has been reached between the parties to postpone the decision on the application for leave to appeal until July 15”.

I am almost finished. I was told I should present the facts and that is what I am doing. I imagine that your ruling, Mr. Speaker, will be more informed if I complete my argument, even if you find that one of the arguments may not be the best.

● (1220)

Since the decision on the application for leave to appeal will not be rendered until July 15, 2016, the lawsuit is still ongoing. The Government of Quebec simply asked the court not to rule on the issue before mid-July, and with good reason. It wants to retain some bargaining power in order to negotiate Air Canada's purchase of Bombardier planes and its establishment of maintenance centres in Quebec.

That brings me to the second piece of false information. On April 15, at the beginning of the debate at second reading of Bill C-10, the government, or more specifically the Parliamentary Secretary to the Minister of Transport, explained to the House that it was a good time to pass Bill C-10:

> In light of Air Canada's investments in aerospace in Canada, including aircraft maintenance...

However, we learned yesterday morning that Air Canada still has not decided to invest in aerospace and aircraft maintenance. That is why the Government of Quebec still has not dropped its lawsuit and why this matter is still before the Supreme Court.

The government misled the House by providing it with false information. As a result, it is possible that, acting in good faith, the House was led to commit an error when it adopted the time allocation motion and supported the principle of Bill C-10. That is why, Mr. Speaker, I ask you to find that the government violated the Standing Orders of the House, which casts doubt on the legitimacy of Wednesday's votes.

Finally, Mr. Speaker, if you find that there is a prima facie question of privilege, I intend to move the following motion: "That the House acknowledge that the government deliberately misled the House and that it reconsider the vote on the NDP amendment and the vote at second reading on Bill C-10, An Act to amend the Air Canada Public Participation Act and to provide for certain other measures."

Mr. Speaker, I rely on your good judgment to propose the best way to proceed.

The Assistant Deputy Speaker (Mr. Anthony Rota): I thank the member for his comments. I think the Minister of Transport has something to add.

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, as I have said many times, inside and outside the House, Quebec and Air Canada announced their intention to put an end to the lawsuit. As a result, Air Canada will help create a centre of excellence in Quebec. On February 17, the premier of Quebec himself said that the Government of Quebec planned to drop the lawsuit against Air Canada.

I want to clarify one thing: the Government of Canada is not part of these discussions. I therefore do not think that my colleague's comments truly constitute a question of privilege. I think he simply wants to debate this issue.

● (1225)

[*English*]

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Mr. Speaker, with regard to the same matter of privilege, I want to advise you that we will be getting back to the House with further comments at a later point in time.

The Assistant Deputy Speaker (Mr. Anthony Rota): I would like to thank the hon. member for Montcalm, the hon. Minister of Transport, and the hon. member for Lanark—Frontenac—Kingston.

[*Translation*]

This matter will be handed over to the Speaker for deliberation, and we will get back to the House on this as soon as possible.

[*English*]

Hon. Marc Garneau: Mr. Speaker, all that being said, I would like to reserve the right to return to the House to make a further intervention on this matter.

Government Orders

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-14, An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying), be read the second time and referred to a committee.

Hon. Jane Philpott (Minister of Health, Lib.): Mr. Speaker, I am honoured today to speak following on the comments made by my colleague, the Minister of Justice and Attorney General of Canada, when she introduced Bill C-14, an act to amend the Criminal Code for medical assistance in dying.

This is a historic debate on a matter of tremendous significance for Canada and for all Canadians. Advancing this issue and getting a legislative framework in place to allow medical assistance in dying is a solemn responsibility. This a deeply personal issue for every Canadian.

[*Translation*]

When a dying person approaches the end of life, many more people other than just that individual are affected, including the person's family, community, and employer, as well as the people working in our network of social and health care services, those who provide support during our difficult times.

For many people, death is a difficult topic. Conversations about death are difficult to have, whether it is with a family member or, in particular, with a health care provider. This topic is difficult on both sides of the conversation.

[*English*]

Our government has given this matter careful consideration.

Over the past 30 years, I have experienced the reality of talking frankly and openly with, perhaps, hundreds of patients as they were facing death. Through every stage of the process, my patients have taught me valuable lessons, lessons about caring and compassion, about fear and anxiety, about the importance of support when recovery is no longer probable.

In working with patients in the final months and years of their lives, I have learned that every person, every story, is unique. However, much is shared in common: the hope to die in peace; the desire to be respected; and to have personal autonomy and dignity honoured by family and health care providers alike.

My experiences have also reinforced my sense that we must uphold the principles of palliative care, as well as respecting the rights of patients to make their own decisions about their care as they approach the end of life.

On February 6, 2015, the Supreme Court of Canada declared that the Criminal Code prohibitions on assisted dying were unconstitutional. The federal government was given one year to develop a federal framework to address this decision.

On January 15, the Supreme Court granted a four-month extension, to June 6 of this year, to give our government time to develop a legislative framework for Parliament to consider.

The Supreme Court's decision marked a watershed moment in an important and long-standing debate surrounding the right of Canadians to have the choice to a medically-assisted death. However, how it will be implemented, for whom and by whom, needs careful consideration.

As parliamentarians, we have heard from Canadians on this issue through so many conversations with our constituents and through the dedicated work of the joint parliamentary committee. Hundreds of experts and organizations, both in our country and abroad, have contributed volumes to our understanding of this very difficult subject. Many have spoken passionately about their work on the front lines of palliative care, hospice care, and end-of-life care. Others have talked about personal experiences with loved ones and about easing the physical and emotional pain that they experience.

Our government is grateful for the work of the federal external panel on Carter and for the work of the Special Joint Committee on Physician-Assisted Dying.

We have also benefited from the work undertaken in the provinces and territories on this issue, including the thoughtful recommendations of the expert advisory group on physician-assisted dying.

● (1230)

[*Translation*]

We are grateful to members of Parliament who have shared their own thoughtful, considered, and wide-ranging insights over the past few months and, indeed, years.

Our government has listened, and the legislation we are tabling is the product of their efforts and their collective wisdom and experience.

[*English*]

Today, we are taking decisive action. I think that it is good news for Canadians, including those who are facing this personal and very difficult choice, their families, and their care providers, who have all been carefully considering this legislation.

For people who wish to have the choice of seeking medical assistance in dying, Bill C-14 would allow that, in keeping with the Supreme Court of Canada's decision. This proposed bill is the product of careful consideration of several principles that guide our government, including the desire to support personal autonomy and access to health care services, while recognizing that it is imperative to protect vulnerable persons, individually and collectively, from coercion and disrespect.

With Bill C-14, certain health care providers would, under certain circumstances and conditions, be exempt from Criminal Code offences in order to allow them to provide or assist in providing medical assistance in dying.

The bill would clearly define the criteria that must be met for individuals to be eligible. We have set up safeguards to be followed to ensure that these criteria are met and that the request is truly voluntary. This is critically important to protect vulnerable populations and, frankly, to ensure that anyone who contemplates medical aid in dying has fully reflected on their choice.

We also create the foundation for a regime to monitor medical assistance in dying so we can see how it is working in Canada.

[*Translation*]

With this bill, we are demonstrating our government's commitment to supporting the autonomy of patients who are approaching the end of their lives, while protecting the most vulnerable in our society.

[*English*]

There has been considerable focus on whether providers should be free to exercise their conscience rights. I want to underscore that this proposed legislation does not compel any health care practitioner to provide medical assistance in dying. Practitioners will have the right to choose as their conscience dictates.

However, we must also respect the rights of people seeking this procedure by ensuring that those providers who have expressed a preparedness to help patients can do so without fear of criminal prosecution. Under Bill C-14, certain health care providers, such as physicians and authorized nurse practitioners who administer medical assistance in dying would be exempt from criminal prosecution.

[*Translation*]

Since nurses and nurse practitioners have the authority to deliver many of the same medical services as family physicians, in that they can assess, diagnose, and treat patients, they, too, would be exempt from criminal prosecution.

[*English*]

This is critical, as nurse practitioners often work alone providing vital health care services in underserved areas, such as the most remote and rural parts of Canada. Other providers, such as pharmacists, registered nurses, and physicians who may provide assistance would also be exempt from criminal prosecution.

Therefore, rest assured that health care workers who provide and assist in providing medical assistance in dying will have no reason to fear criminal prosecution as long as they follow the appropriate safeguards.

● (1235)

[*Translation*]

In consultations leading up to this bill, there was strong consensus among Canadians that standardized data needs to be collected on the practice of medical assistance in dying.

In addition to Criminal Code amendments, this bill creates the power necessary for the Minister of Health to make regulations about the information to be collected, the use and protection of that information, and the processes for collecting and reporting that information.

[*English*]

We agree that a robust, transparent monitoring system on the practice of medical assistance in dying is essential, and analysis and trends need to be reported to the public on a regular basis. We, as the Government of Canada and Canadians, need to understand as much as possible about how the system is operating in practice so we can address any potential concerns.

To that end, this proposed bill commits the federal government to working with the provinces and territories to develop a pan-Canadian monitoring system. The system will allow us to collect and analyze data, monitor trends, and make recommendations for potential legislation and policy reforms.

We are not starting from scratch. Around the world in other places that have legalized medical assistance in dying, mandatory oversight systems are in place to carry out monitoring and public reporting each year.

[*Translation*]

We can look to these examples to help us decide what is right for Canada. We can also look closer to home, in Quebec, where a monitoring system was recently established.

[*English*]

Developing a robust pan-Canadian system with provinces, territories, and stakeholders will take time, and we know we need to be tracking this information as soon as possible.

From a health perspective, I feel strongly that it is important for us work toward consistency in the provision of health care services for all Canadians, regardless of where they live. Canadians and stakeholders are expecting and hoping for a pan-Canadian approach. They do not want a patchwork where they observe significant differences in quality and availability of services in their own community, province, or territory relative to other parts of the country.

A fundamental value in Canada is our commitment that Canadians across the country will have access to medically necessary health care services when they need them. This view reflects the underlying principles of universality, accessibility, and comprehensiveness so vital to our health care system.

Bill C-14 contains well-defined eligibility criteria and safeguards, which go a very long way to achieving our government's objective of a consistent framework for medical assistance in dying. While certain implementation details will be left to provinces, territories, and medical regulatory bodies, we will all operate under the same legal and access framework.

My health minister colleagues across the country have looked to us for leadership on a consistent approach for all Canadians. I am pleased that our proposed bill fulfills that expectation.

No aspect of what we do on the question of complementary measures should be done precipitously. There are several particularly challenging issues. On these, our proposed bill suggests a cautious approach that will seek further advice, as suggested by the special joint committee.

[*Translation*]

However, we also recognize that there is a difference between the decision to accept or forgo treatment and the decision to hasten one's own death. Accordingly, a higher standard of decision-making capacity should be required in the latter case.

As part of the eligibility criteria, the bill specifies that individuals must have reached the age of 18 to seek medical assistance in dying.

● (1240)

[*English*]

There is the equally if not more contentious matter of advanced directives. Advanced directives are used to indicate wishes for treatment if a person can no longer communicate.

The prospect of permitting requests for assistance in dying through advance directives is concerning to many Canadians. At the same time, others feel strongly that they should be able to convey their wishes for a medically-assisted death in advance of a future point time when, as in the case of a progressively debilitating condition such as dementia, they are no longer competent to make a request.

Advance directives are a difficult issue for many individuals, family members and health care providers. As difficult as it is to discuss the end of life ln the final days, it can be even more difficult to predict one's wishes and circumstances in the case where it is further off, especially in the distant future.

Many people are also troubled by the prospect of patients with a psychiatric disorder being eligible for assistance in dying on the basis of psychological suffering alone. There are strongly held views on both sides of this issue. That is why legislating medical assistance in dying has required a cautious approach, and that is why we have committed to independent studies to explore the challenging issues of mature minors, advanced directives, and mental illness further.

Following a period of study and further reflection, we will be better positioned to determine how these issues best fit into a Canadian framework for medical assistance in dying.

[*Translation*]

I believe that this is an approach that most Canadians would favour.

[*English*]

I said earlier in my remarks that this bill did not compel participation by health care providers to do anything which would run counter to their convictions. At the same time, we are also mindful that the exercise of conscience rights by providers may constitute a barrier to access for those who are seeking medical aid in dying. There is therefore a federal interest on behalf of Canadians in working with our provinces and territories to support access.

Collaborative work with provinces and territories could build on important international examples, such as the well-established networks we see in the Netherlands and Belgium. These provide insight as to how an end-of-life care coordination system could help facilitate access to a consulting physician or nurse practitioner. This is particularly important in rural and remote areas, or in situations where identifying a second provider to assess eligibility may be problematic.

One of the things I have heard is that better palliative care would assist in the end-of-life care options that have now been prescribed by the Supreme Court. I know first hand that there is a place and a need for both.

[*Translation*]

Palliative care focuses on relieving suffering and improving the quality of life for the living and dying. It provides relief to people dealing with a range of life-threatening conditions such as cancer, cardiovascular disease and amyotrophic lateral sclerosis, or ALS.

[*English*]

Today, Canadians are aware, and have a general understanding, of palliative care. However, some studies have found that the overwhelming majority, perhaps 70% or more of us, do not have access to it, particularly in rural and remote areas. Many providers are not well trained to provide palliative care services. Reinforcing this government's commitment to quality palliative care, this proposed bill signals our intent to support improvements to a range of end-of-life care services.

Like other health care services, the delivery of palliative care is mainly the responsibility of provinces and territories. However, the federal government can make significant contributions in this area. We are already supporting a number of initiatives aimed at improving capacity in our health care system to provide palliative care.

In partnership with the provinces and territories, health care providers, and non-governmental health organizations, the federal government has funded initiatives designed to advance palliative care awareness, education, national standards, and research. For real improvements to be made, we need to work closely with provinces and territories.

Since my appointment as the Minister of Health, it has been my immediate priority to reach out to provinces and territories to discuss needed transformation in our health care system, including care at the end of life, particularly in the setting where Canadians say they most wish to die; that is usually in their own home and community.

In that spirit, early this year I met with provincial and territorial health ministers in Vancouver to launch discussions on a new multi-year health accord. Through the health accord process, our government will be making significant investments totalling $3 billion to help deliver more and better quality home care services for Canadians.

[*Translation*]

We expect that support for palliative care in a variety of settings, where patients can receive the ongoing care they need and deserve at the end of life, will be one of the priorities going forward.

I believe that by working together, we can bring real change to the health care system so that Canadians can continue to have access to high-quality, sustainable care.

● (1245)

[*English*]

There is no doubt that care at the end of life should be there when people need it. We want all Canadians to have access to the best care possible. We want them to have autonomy in making decisions as they approach the end of their lives.

We are facing a challenging time frame to put this legislation in place, with a June 6 deadline. However, I believe that with this proposed bill, we have found a balanced approach that reflects the best interests of Canadians. That is why I urge all members of this House to support Bill C-14.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, I have some serious questions, especially for this minister.

[*Translation*]

Just now, the minister said that doctors' conscience was protected. I was very surprised to hear that. I did not read that clause. I would like the minister to tell me exactly which clause says that doctors' conscience will be protected.

Each and every one of us understood that, going forward, the provinces would define protection for doctors, which means that there could be 10 different interpretations. That is not a good thing. This is a federal Parliament, and we must act on behalf of all Canadians.

I have a second point I would like to raise. If there is to be protection for doctors' conscience, which we want, why not follow the Quebec model, which allows a third party to transfer a patient to another doctor? In other words, if the attending physician who does not want to treat the patient informs a third party, such as hospital or CLSC officials, the third party can transfer the case to another doctor.

I have two questions: Can the minister tell me exactly which clause in the bill protects doctors' conscience? Why not follow the Quebec model?

[*English*]

Hon. Jane Philpott: Mr. Speaker, as my colleague knows, this is a bill to amend the Criminal Code. As such, the bill is prepared in that format.

As he well knows, the matter of the care and delivery of care falls into the realm of provinces and territories.

I have made the commitment to work with my colleagues, the ministers of health across the country, to ensure that they understand that no health care providers should be required to provide care, that they should respect their conscience rights, but at the same time to make sure that all Canadians will have access to all options of care. I am prepared to work with them.

We have made the commitment to develop a pan-Canadian approach to care coordination at the end of life to make sure that all Canadians will have access to care.

We have deemed, through the tabling of the bill, to demonstrate that this is a medically necessary option for care at the end of life. I will work with my colleagues across the country to make sure it is there for Canadians.

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, I commend the minister, as well as her colleague, the Minister of Justice, for their leadership on this very sensitive issue.

Aside from the issue of advanced requests and the issue of the unfortunate drafting of the bill, the issue I hear most about is the failure in this initiative to specifically commit to palliative care.

The minister has given words on that subject again today, but we note that there was nothing in the budget, despite campaign promises to that end.

I would ask the minister this. Would she consider restoring the secretariat on palliative and end-of-life care, and the development of a fully funded pan-Canadian palliative and end-of-life care strategy, in collaboration with provinces, territories, and civil society?

Hon. Jane Philpott: Mr. Speaker, that is an important question from the hon. member. I have reiterated, as he said, our commitment to ensure that we improve access to palliative care. Indeed, it would be my desire to see that every Canadian should access high-quality palliative care at the end of their life to give them that opportunity.

I often quote Dr. Atul Gawande, who talks about the fact that people not only need to have a good death, they need to have access to a good life to the very end.

This is extremely important to me. I will be working with the provinces and territories. I have already been working with my department. We will be investing in home care, and we will determine that all the necessary investments are in place. I am exploring all opportunities for how we can ensure that commitment is upheld and that care is available to Canadians.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I thank the minister for her thoughtful speech and for her leadership on this extremely sensitive issue at an historic time for Canadians.

Much of what falls within the health domain is within the jurisdiction of the provinces. There is no question that the provinces are looking to the federal government for leadership.

Given the very compressed time frame that we have, I wonder if the minister could comment on the importance of the June 6 date with respect to the matters within the provincial domain. There is no question that the June 6 date is critical with respect to the matters that fall under the criminal law, but what is the significance of that date? Is it as important for the matters that are within the minister's jurisdiction?

● (1250)

Hon. Jane Philpott: Mr. Speaker, the hon. member has raised an important matter, and that is the reality that we need to have a legislative framework in place.

The provinces and territories have spoken to me loudly and clearly about their desire to make sure we have a consistent approach across the country. That came up in my meeting with health ministers in January. Since the bill has been tabled, my colleagues have told me they are pleased that it provides that framework for them. They have already done a tremendous amount of work across the country in determining their next steps. They have been working with regulatory bodies, and those regulatory bodies have put in place a number of measures to make sure that Canadian health care providers are educated and prepared for the changes the bill will put in place.

The June 6 deadline, no doubt, is an important one. That is why I urge all members of the House to support the bill, so that we will have a legislative framework that will provide that access to consistent care across the country.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Mr. Speaker, the minister in her comments said that nothing in the bill compels health care professionals to participate in assisting with a death. She also stated there is a federal interest in ensuring that nobody is denied access to medically assisted death. This raises a problem. A charter right to something cannot be withheld by someone else who is either a government agent, or is operating within the purview of a set of rules that gives them a monopoly over providing access to that right.

The minister could correct this problem. It will essentially cause the courts to require health care professionals to provide assisted death against their own consciences and will, unless the following change is made. She could add a specific protection to the law that would meet the section 1 charter requirement. It says that the rights and freedoms set out in the charter are subject only to "such reasonable limits prescribed by law", which means statute, "as can be demonstrably justified in a free and democratic society".

If the minister did that, there will be protection for physicians. If not, it is only a matter of time before the courts require physicians to provide assisted death. That will result in terrible crises of conscience for physicians who would not want to do that based on their profoundly held moral beliefs.

Hon. Jane Philpott: Mr. Speaker, I look forward to further conversation with the member about this matter. I will continue to discuss this with my colleague the Minister of Justice as well.

I want to make sure that the member understands that physicians and other care providers make deeply complex decisions every day. They approach their work with thoughtfulness. They approach their work with their conscience intact. They will need to be able to continue to do that. We need to make sure that those conscience rights are protected, as they are now. We also know that Canadians need to be able to have access to this care. Those physicians and care providers will undertake to make sure that care is transferred, in the situation where they are not able to provide a certain type of care for any reason, including the reason of conscience rights.

I am determined to work with my colleagues across the country, with the Canadian Medical Association, the Canadian Nurses Association, to make sure that this is well understood, that we find mechanisms to make sure there is a care coordination system, so that no one will be denied access to medically necessary care.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank the minister for her speech.

She recognizes that the right to physician-assisted dying is a constitutional right in light of the court's recent decision. That is what she said. She also wants to protect physician conscience rights. Speaking of which, what mechanism will she put in place to ensure that every Canadian has the constitutional right to physician-assisted dying, while also protecting doctors' rights to choose whether to engage, or not engage, in this practice?

This service must also be made available in places where there are very few doctors and very few medical services. What mechanism does the minister intend to put in place to ensure that all Canadians have equal access to this new right?

● (1255)

[*English*]

Hon. Jane Philpott: Mr. Speaker, I look forward to further conversations with my colleague about this.

If there is anything we heard loud and clear, in a uniform way across the country, it was the matter of respecting the conscience rights of health care providers. We will continue to make sure that is upheld.

Members have also heard me say repeatedly in the House that I believe Canadians need to have access to all forms of medically necessary care across the country. That is a fundamental principle upheld by the Canada Health Act, which I will continue to uphold.

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, I am thankful and, to be honest, humbled by the opportunity to join this important debate.

Yesterday a group of high school students were visiting from my riding, and we talked for a few minutes about this debate and what would unfold in their Parliament. I told them that we were about to tackle one of those rare questions in the social and political life of a country, watershed moments, where we can translate our values into a law and touch the lives of Canadians in a profound way. I believe that this is one of those moments.

Let me say at the outset that I will be supporting this bill at second reading. New Democrats have decided that rather than seek consensus on a question so personal, we will be encouraging our members to take the time to consult with their constituents, to reflect carefully on this bill, and to vote with their conscience. Let me affirm my deep respect and admiration for members, wherever they sit in the House, who rise to express views that may differ from the views that I have on this bill.

I am reminded of something a former Conservative member of the House said when he appeared before the joint special committee. At the end of his eloquent and moving testimony, he stopped, looked around, and said, with his usual knack for not pulling any punches, "By the way, everything you decide here will affect every Canadian who is alive and every Canadian there will be in the future, and it will probably set the framework for the western world, so think about it."

Let me say to Mr. Fletcher, to the young constituents who visited me yesterday, and to every Canadian who will follow this important debate in living rooms, law offices, and hospital beds, that I have every confidence that Parliament will give this bill the careful scrutiny it needs and the respectful debate that it deserves.

We are here because of the Supreme Court's unanimous ruling in the Carter case. The case was long and complex, but the decision was crystal clear. It states:

> [...] s. 241(b) and s. 14 of the Criminal Code are void insofar as they prohibit physician-assisted death for a competent adult person who (1) clearly consents to the termination of life; and (2) has a grievous and irremediable medical condition (including an illness, disease or disability) that causes enduring suffering that is intolerable to the individual in the circumstances of his or her condition.

That is what the court concluded. It is noteworthy for its humanity. It does not force doctors or bureaucrats to parse a patient's suffering, or weigh precisely how much pain and fear is tolerable and how much is intolerable. Instead, it recognizes the ability, indeed the right, of competent Canadians to decide for themselves when their suffering becomes intolerable in the circumstances of their condition.

In fact, the next line of the judgment goes further, recognizing the right of those competent Canadians to define what treatments may be unacceptable for them. It states:

> "Irremediable", it should be added, does not require the patient to undertake treatments that are not acceptable to the individual.

In just seven lines, the Supreme Court of Canada, the highest court in our land, affirmed that competent adult Canadians could consent to the termination of life, could define uniquely and for their life what intolerable suffering means to them, and could define to a large degree what an irremediable condition means to them, respecting their right to refuse treatments they determine to be unacceptable. Not only did the court unanimously affirm the right of competent Canadians to make their choices, it found two provisions of the Criminal Code unconstitutional insofar as they prevent eligible individuals from doing so.

Let us remind ourselves of the meaning of that word "unconstitutional". In explaining such a finding in the *Constitutional Law of Canada*, Professor Peter Hogg quotes a U.S. justice to say this:

> An unconstitutional act is not a law; it confers no rights; it imposes no duties; it affords no protection; it creates no office; it is in legal contemplation as inoperative as though it had never been passed.

● (1300)

Professor Hogg continues:

> When a court holds that a law is unconstitutional, the invalidity of the law "does not arise from the fact of its having been declared unconstitutional by a court, but from the operation of [the supremacy clause of the constitution]".

In principle, he said that the law is "invalid from the moment it is enacted". The fact that the Supreme Court delayed the effect of its ruling in the Carter case does not detract from the force of that finding of unconstitutionality.

The court did not request that Parliament pare back the prohibition against assisted dying in these cases to a less intrusive level. It demolished the legal barriers that denied Canadians the choice as completely as if they had never been built.

The court then wrote:

> It is for Parliament and the provincial legislatures to respond, should they so choose, by enacting legislation consistent with the constitutional parameters set out in these reasons.

That is what we are here to do, to measure this bill against the constitutional parameters illuminated for us by our Supreme Court.

I was proud to serve on the joint special committee on physician-assisted dying.

[*Translation*]

I worked on that committee with my extraordinary colleague from Saint-Hyacinthe—Bagot. I thank her for her many hours of work and for her in-depth knowledge of Quebec law. Her wisdom greatly improved our report.

[*English*]

Together with parliamentarians of all official parties and both chambers, we reviewed the Supreme Court judgment and the provincial court decision that preceded it. We looked at laws in Quebec and around the world. We reviewed two major studies, which together heard from 13,000 Canadians and more than 100 organizations. We held 11 hearings. We called 61 expert witnesses and took written briefs from individuals and groups from all across this country.

That committee had a duty, in my view, to make recommendations for all Canadians and to consider all the situations that might arise in the coming years, and seek clear answers, founded on the law, on medical evidence, and on our shared values.

I am so thankful to all members of that committee for their work, for their commitment to respect the collaboration beyond and above party lines, and for their dedication in helping Parliament pass a law that does respect the constitutional parameters set out by the court, indeed, a law for all Canadians.

Based on that broad consultation and that evidence, and a strong majority spanning both chambers and all parties, we agreed on 21 recommendations to ensure that eligible Canadians have the option, and to protect individuals in situations of particular vulnerability.

These recommendations were not made lightly. Each was made after lengthy discussion with an eye to the future. Each was rooted in careful consideration of the evidence, the requirements of the Carter case and of our Charter of Rights and Freedoms, and of course the rights of suffering Canadians.

I must be honest at this point. I was deeply disappointed to find the majority of recommendations of the all-party committee either missing from or contradicted by the provisions in the government's bill.

The all-party committee recommended that the law use the exact words of the Supreme Court. This bill would cloud those words with new and very vague and ambiguous restrictions. Let me pause on that point.

Without delving into the details, let me share two concerns about an area so crucial that, in my view and in the view of many experts who have called me, it inappropriately narrows the scope of the entire bill.

First, this bill would limit its scope to medical conditions that are "incurable", a word the Supreme Court did not use and a requirement it did not set. While the court was quick to make clear that it would never force patients to undergo unacceptable treatments to prove their condition was irremediable, no similar direction is found in this bill, none.

● (1305)

It would seem to compel patients to undergo treatments that they would object to in order to be eligible for assistance in dying. That could prove to be cruel and unusual and in itself contrary to the charter.

Second, the bill limits its scope to patients facing what it terms a "reasonably foreseeable" natural death, another requirement found nowhere in the decision. In fact, this concept was never raised once before us by any witnesses in the all-party committee; nor, as far as I can tell, does it have any precedent in any jurisdiction. It is not hard to see why. After all, it is almost hopelessly ambiguous.

Does it mean a death that is imminent, or simply one that we can predict with confidence? The government has provided a glossary that suggests "foreseeable in the not-to-distant future" or "on a trajectory toward death", but of course those terms could be applied to every single one of us.

I want to read the conclusions of one of Canada's most revered constitutional lawyers, Joseph Arvay, QC. He stated:

> As the lead council in the Carter case, I probably know better than anyone the evidence led, the arguments made, and the full implication of the judgements at all levels and I have no doubt that the Bill, if enacted, would be struck down as unconstitutional insofar as the "foreseeability clause" is concerned and perhaps other clauses as well.

Given that the Department of Justice lawyers did not prevail at the Supreme Court of Canada and the case was decided unanimously against their position, I assume the minister has a comprehensive legal opinion from outside council. Will she table that opinion at the justice committee? Will she force desperately ill Canadians to have to go to the Supreme Court again?

These restrictions that have no root in the Supreme Court decision are so fundamental that they affect the scope of the bill itself. However, they are not the only ways in which the bill seems to reject the advice of our committee.

The all-party committee recommended that the law not exclude patients who completed a valid request in advance of losing their capacity. The bill would offer those Canadians nothing but the cruel choice the court spoke of, the choice between a death they consider premature and the rising fear of a life they consider intolerable.

The all-party committee agreed that indigenous patients should be given the option of culturally and spiritually appropriate end-of-life and palliative services. It agreed that mental health services and supports for all Canadians must be improved immediately. It agreed that far too few Canadians can access the quality palliative and end-of-life care they deserve, and it identified concrete steps for the government to take on every one of these priorities for Canadians, and yet the bill contains nothing binding on any of these. There is not one dollar of new funding, not one commitment or timeline.

Of course there are those who ask us to be patient, who say this is just a first step. However, incremental change offers cold comfort to those suffering intolerably today. Nor does our charter allow unconstitutional provisions to be made right by degrees, by steps.

There are those who say that, while improving palliative care, or obeying patients' advance requests, or protecting the conscience rights of health care workers are good ideas, they were not named in the Carter ruling and so cannot be included in the bill, but neither did the case mention nurse practitioners, or record keeping, or witnesses, or multiple doctors, all of which are addressed in the bill.

These are all good and practical steps. Indeed, many are recommendations of the all-party committee, so we must replace a conveniently selective attention to the Carter decision with a consistent commitment to the charter rights and health care priorities of all Canadians.

The reality is that this moment is not going to come again. Canadians are counting on us to get it right now. That means abiding by the letter and spirit of the Supreme Court ruling and strengthening the bill against obvious challenges to its charter compliance.

● (1310)

It means taking real action on the priorities that Canadians recognize that are connected, including better mental health services and more accessible palliative and end-of-life care options for everyone.

Specifically, I urge all members to consider recommendation 19 of the all-party committee, which called for the re-establishment of the secretariat on palliative and end-of-life care and the development of a fully funded pan-Canadian palliative and end-of-life care strategy in collaboration with the provinces, territories, and civil society.

As anyone who has sifted through the mountain of evidence on this issue can attest, it is easy to get lost in the details, but at the end of it all, we are called to a question of principle. It is a principle reflected in the words of Mr. Justice Binnie in another ruling, which I paraphrase here. He said that, while we may first instinctively recoil from a decision to seek death, it is clear that it can arise from a deeply personal and fundamental belief about how we wish to live. We are asked to consider in what circumstances we can deny adult competent Canadians suffering intolerably from a grievous medical condition the right to make these fundamental decisions, the choices in Carter of what constitutes intolerable suffering, and which treatments are acceptable.

This is about choice. Canadians want options when they near the end of life or when they find themselves trapped in intolerable suffering. In my view, the bill before us denies that to too many Canadians, in too many cases, with too little justification.

By leaving unresolved so many of the tensions that play in the Carter case, the bill invites immediate challenges on similar grounds. These court battles would necessarily engage the full legal resources of the government against the arguments of the most weak and vulnerable Canadians imaginable. That is not what Canadians want. We do not need more conflict, division, or delay. What we need is constructive compromise, and what we insist upon is compliance with the Supreme Court of Canada's unanimous decision.

No government can be expected to pre-empt every challenge to a new law, but a government can at least be expected to recognize that a Supreme Court of Canada decision is not a recommendation. It can do better than try to drive a square peg into a round hole.

We can do better than altering the careful words of our Supreme Court of Canada. We can do better than flatly contradicting the evidence of experts and the advice of parliamentarians from all parties and both chambers.

We can do better than excluding patients whose valid request is approved but who lose capacity just before it can be acted upon. We can do better than condemning those people to intolerable suffering because, of course, their condition did not match the letter the bill.

Finally, I believe we can do better than offering only non-binding promises of more discussion on issues that are as urgent as giving every Canadian the mental health services they need and the options for palliative and end-of-life care they richly deserve.

I truly believe what I told those young people from Victoria yesterday. This is a moment that will not come again for us as legislators.

We have a duty to see the House pass a bill that respects the Carter decision, that respects our Charter of Rights and Freedoms, and that accords with the priorities of Canadians. Sadly, in my judgment, the bill before us is not that bill, but it can be.

Therefore, let us give it the study it needs and the debate Canadians deserve. Let us make whatever changes are needed to meet those standards. Let us do this work together, let us get it right, and let us work assiduously for all Canadians to get it right

● (1315)

Mr. Arnold Chan (Scarborough—Agincourt, Lib.): Mr. Speaker, I want to thank my hon. colleague, the member for Victoria, for a very impassioned speech and a very important contribution to the debate. I particularly take note of his objections, despite the fact that he has expressed his ultimate support for the legislation that the government has introduced in Bill C-14.

I want to specifically get to one of the objections that he raised, which deals with the question about the foreseeability clause.

He noted that the lead counsel in the Carter decision, Mr. Joseph Arvay Q.C., raised concerns with respect to the constitutionality of the proposed Bill C-14. I want to ask my friend what proposed changes would be necessary so that the definition of reasonable foreseeability, currently found in proposed paragraph 241.2(2)(d), would deal with the legal standard. I believe that is the nature of his objection.

I would add the caveat that, as I recall the Minister of Justice's presentation at the time, the determination of reasonable foreseeability would be left to physicians. Is there some amendment you could propose that would in fact address the legal standards, which I think is the nature of the objection?

The Assistant Deputy Speaker (Mr. Anthony Rota): I would like to remind hon. members to appreciate that they are speaking through the Speaker and not directly across the floor.

The hon. member for Victoria.

Mr. Murray Rankin: Mr. Speaker, this is a very fundamental question that goes to the difficulty at the heart of this.

I want to be clear when referencing Joseph Arvay, who many consider the leading constitutional lawyer of his generation, that I do not mean to stop there. I have heard this concern about "reasonably foreseeable" from people from coast to coast, eminent jurists whom I respect enormously.

I would say the simple solution is to do what the Supreme Court told us, which is to simply use the words of the decision, the words "grievous" and "irremediable". I do not know that anything has been added. I know a lot has been taken away by the definition that is there. I am hoping that the government is open to reasoned debate and amendments that are in the same spirit that we worked in under the joint special committee.

I believe we can do better. This clause is beyond comprehension to jurists of the highest quality and reputation across the country. Why is it there? It comes from nowhere. It comes from nowhere in the decision. It comes from no other jurisdiction that we have been able to find. All it would do is create uncertainty. Does "reasonably foreseeable" mean solely in time? Does it mean about conditions? Nobody knows.

It is that uncertainty that doctors are telling me they cannot accept. Therefore, they will be reluctant to provide the services until they get the kind of certainty that we tried in the committee to provide, and which Canadians will need. Those who are advising and insuring physicians and medical practitioners are certainly going to need more than words like "reasonably foreseeable".

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, I was pleased to hear the minister talking about international comparisons. One of my disappointments with the Special Joint Committee on Physician-Assisted Dying was that we did not do a sufficient study, at all, of what has happened in other jurisdictions where we have seen these laws brought in.

Specifically, I want to talk about a study that was done in Belgium in 2010, which was quoted in the *Canadian Medical Association Journal*. It surveyed nurses and found that a full 120 of 248 of them said they had been involved in cases of euthanasia where there was no consent. Of the 248 nurses who had been involved in euthanasia, almost half of them had been involved in cases where there was no consent. Yet, the direction we are going with this legislation, and the model that I know the member advocates, because it follows the special joint committee, is very similar to the Belgian model.

I would ask the member why Canada would follow Belgium when there have been significant problems with actual consent. Why do we not look at jurisdictions that have been more effective and put in place things like advanced legal review?

● (1320)

Mr. Murray Rankin: Mr. Speaker, I thank my colleague for the question and for his work during the deliberations of the special joint committee.

The Belgian study to which he refers is one of many studies. In the judgment at the trial level of the B.C. Supreme Court, which is several hundred pages, Madam Justice Smith referred to these studies and others like them. She concluded that we can do better in our bill. She concluded that it was appropriate that the constitution reflect that competent adults have the ability to use physician-assisted dying, medical aid in dying, when they meet the very specific and stringent conditions that were articulated.

Consent is at the core of this. One has to be careful that there is consent that has not been pressured in any way. I think the bill does a good job of addressing that.

The idea of having some kind of advance legal requirement for consent determination and the like was rejected by the committee because it would be an absolute barrier to many people, particularly in remote communities, from being able to have the choice that the Supreme Court said Canadians constitutionally enjoy.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Mr. Speaker, I would like to commend the member on his very thoughtful speech today, and thank him for the work that he did on the Special Joint Committee on Physician-Assisted Dying along with the member for Saint-Hyacinthe—Bagot on behalf of our caucus. The committee was so ably chaired by the member for Don Valley West, whom I also wish to thank for his work on behalf of this chamber.

My question has to do with conversations I had with two constituents who are facing the issue of physician-assisted dying, and the case of my own mother last fall. This has to do with the advance consent notion.

I am going to use the case of my mother because I know it so well. She had medical conditions that were going to lead her to a position where it was going to be difficult to continue living, and she also had dementia. She wished to give consent in advance before the dementia got so bad that she could no longer give consent. When her other medical conditions advanced, she was no longer competent, so we were faced with very difficult decisions as a family, but what we did know was her very clear statements before of what she wished to have happen.

How would the bill deal with very difficult situations like this? Did the Supreme Court decision deal with these kinds of cases?

Mr. Murray Rankin: Mr. Speaker, first, I say to my friend from Esquimalt—Saanich—Sooke that I am sorry for the loss of his mother.

I want members to know that the bill would not do anything about that. It is a sad deficiency that I keep hearing about day after day in my office. People will not be allowed to determine, even if they have the very condition that they feared the most, dementia, Alzheimer's, and the like, what will happen at the end of their life.

We have the terrible situation, with real-world examples from British Columbia, where a person who worked all her life nursing people with dementia said, "I do not want that to happen to me, being spoon-fed and in diapers in an institution". Contrary to her expressed wishes, this bill will do nothing to address that. That is the deficiency I hear most about in my riding as well.

Most Canadians asked for that. The polls are absolutely clear that the circumstance my colleague recounted is precisely what people fear, and this bill sadly will not do what the recommendation of the joint committee and others have urged us to do, namely, to provide in circumstances where people delineate precisely when it is time for that physician-assisted dying to take place. There will be no opportunity to do that. We can do better. We must do better.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, I have a quick follow-up to the member's previous response. I do not think it is a good response at all to say there have been other studies without actually quoting them.

We have seen significant studies from Belgium and other Benelux countries that show that without an effective system of advance legal review, which need not be onerous, and one suggestion has been to use consent and capacity boards which already exist at the provincial level, a simple system of not onerous advance review could be added to this legislation which would ensure that we do not go down the road that many of the studies have shown us going down in the Benelux countries. What is wrong with adding that basic protection?

Mr. Murray Rankin: Mr. Speaker, I appreciate the opportunity to be more specific.

Advance legal review would be an absolute barrier for many people, particularly in remote communities. I have confidence in doctors. Doctors do these things every day. They look after us in life, and I trust them to look after us in the last days of our life as well. To talk about a consent and capacity board which one province has and others do not is not helpful. We need to figure out how we can do this. We are absolutely required to address the needs of the vulnerable, but we cannot provide an untenable barrier to people whose constitutional rights are affected. That would not work, and we would oppose such an amendment.

● (1325)

The Assistant Deputy Speaker (Mr. Anthony Rota): Resuming debate, the hon. member for Sherwood Park—Fort Saskatchewan. I just want to remind the member that he has about four minutes and thirty seconds, and the balance of his time will be returned to him when this issue comes before the House again.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, I appreciate the opportunity, and I will be splitting my time.

I want to discuss specific aspects of the legislation today. On Monday, I will have an opportunity to talk about some underlying philosophical questions.

I want to be clear that I do not believe in an all-or-nothing approach. Many of my colleagues and I who have broad philosophical concerns about what is happening here are still willing to vote in favour of legislation that does not recriminalize euthanasia, if it advances positively in the direction of saving some lives, especially minimizing the risk to vulnerable persons. However, this legislation does not contain meaningful safeguards. Without amendment, it will protect no one.

We know that this law has written exceptions. However, it has exceptions to the exceptions; and may I say it has exceptions to the exceptions that are not at all exceptional?

This legislation has a requirement for the provision of written consent. However, if people cannot provide written consent, someone else can do it on their behalf.

This legislation prescribes a waiting period. However, the waiting period does not apply in the event of possible imminent death or loss of capacity.

There is so much ambiguity here.

The government has said that mental illness is excluded. However, in section 241.2(2) the legislation clearly states that physical or psychological suffering qualifies a person to seek premature death.

The legislation says that death must be "reasonably foreseeable". May I say that death is reasonably foreseeable for all of us? It is those who think that death is not reasonably foreseeable who probably need the medical attention. Why not put in the word "terminal"? When I was learning to drive, my mother thought that death was "reasonably foreseeable" every time we got into the car. That is no criterion.

There is a requirement that two physicians sign off. However, given the huge ambiguities, obviously doctors are likely to have a wide range of interpretations of the rules. The estimates are that there are 77,000 physicians in this country, and the likely practice of doctor-shopping will ensure that people who think they meet the wooly and ambiguous criteria can somewhere find two physicians.

The member for Victoria said earlier today that this is something doctors do every day. No, it is not. Doctors do not take lives every day. This is fundamentally different from the normal practice of medicine. When we have so many different doctors and opinions to choose from, these are not effective safeguards.

Given these five comically ridiculous exceptions to the exceptions, there is no doubt that detailed provincial legislation or regulation will be required in every case. Therefore, it is not at all clear to me what this law is supposed to accomplish.

Further, there are two key areas where the prevailing rules under this law would leave us demonstrably worse off than the Carter ruling alone.

First, there is a terrifying clause in this bill, which states that if someone kills someone else but can demonstrate, at least beyond a reasonable doubt, that he or she had a reasonable but mistaken belief that the criteria applied then that person cannot be penalized. We can find that at 241(6). Therefore, we can kill someone who did not consent and escape prosecution on the basis of reasonable but mistaken belief. Whatever is done, I implore the government to take this very dangerous section out. This is going even beyond the Belgian model.

Second, this legislation provides no protection for conscience rights, despite the court's clear statement that nothing in this decision required particular health care practitioners to be involved, and despite the clear assurance of the Canadian Medical Association that access does not require taking away section 2 conscience rights.

This legislation constitutes a perfect storm. Ambiguous criteria, no advance legal review, no conscience protection, and allowances for doctor-shopping are not meaningful safeguards at all. The bill leaves patients, seniors, the sick, and the disabled vulnerable to error and systemic abuse. We have seen this in Belgium before. I have quoted the studies during questions and comments. We do not want to go down this road in Canada at all.

The government must introduce simple amendments to this legislation, which define the criteria more clearly, which address the problems I have mentioned, and which introduce an effective system of advance legal review.

As I have mentioned, a person seeking hastened death should require the sign-off of competent legal authority. One such model could involve the use of consent and capacity boards or some kind of judicial review. It need not be onerous.

This process need not be complicated. It would ensure that people are not accidentally killed and that their killer is able to hide behind the ambiguous criteria of reasonable but mistaken belief.

We cannot save every life today. However, it is better to light a candle than to curse the darkness. From my perspective, too many have spent too long just cursing the darkness. Let us amend this bill and fix it so that we can get the work we need done.

● (1330)

The Assistant Deputy Speaker (Mr. Anthony Rota): Order, please. The hon. member will have five minutes and a few seconds remaining when this debate is resumed in the House.

It being 1:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

Private Members' Business

PRIVATE MEMBERS' BUSINESS

[*English*]

EXCISE ACT, 2001

Mr. Ben Lobb (Huron—Bruce, CPC) moved that Bill C-232, An Act to amend the Excise Act, 2001 (spirits), be read the second time and referred to a committee.

He said: Mr. Speaker, it is a pleasure to rise today on private member's Bill C-232, an act to amend the Excise Act, 2001, regarding spirits.

I though it would be appropriate to start my speech by declaring that I have no pecuniary interests. I do not own a distillery. I have no plans to own a distillery. I own no common shares in any distillery stocks, so I just do this purely for the sector, for the industry, and for the spinoff benefits it would have for Canadian businesses.

The current lay of the land for excise taxes on spirits in this country is $11.696 per litre of 100% ethyl alcohol. This rate has been in place for many years without any consideration having been given by government to reduce it. I propose at this time that it is time to reduce it in two different ways.

There are many categories, and it depends on which interpretation we take of a small or medium-size distiller, but regardless of that, this measure would apply to all distilleries that operate in this country. It would reduce the excise tax to $6 per litre of 100% ethyl alcohol, and on over 100,000 litres we would reduce it by nearly 79¢ to bring it to an even $11. This is a good move, I believe, and would be beneficial to the sector.

To put it in perspective and to give an idea of what taxes are involved in just a glass of wine, a glass of beer, or a glass of alcohol, in Ontario, for example, with regard to wine, 80% goes back to the distiller or the chain, 4.3% is federal tax, and 15% is provincial tax. For beer, 46% goes back to the industry or the supplier, 11% goes to the federal government in the form of taxes, and nearly 30% goes to the provincial government. Anyone who knows Ontario knows the Beer Store, and its cut is a little over 12%.

However, the difference is significant in the case of distilleries. The issue is that almost 60% goes to the provincial government, over 17% goes to the federal government, and just a little over 23% is returned back to the industry. If we compare the 80% for wine with the 23% for the spirits and distilling sector, we see a big difference. The bill will not close the gap 100%, but it will make a small step forward in trying to level the field and allow more profitability into the sector.

I know all members want to see businesses grow, whether they are small or large. The one thing we do not want to do as legislators is have a tax regime in place that dissuades businesses from setting up and making investments in this country. With the excise tax where it is currently, we have really not seen much growth at all in the sector in regard to new starts. We are hoping that this measure will be a first step.

One question I think everyone in the House should ask regarding the bill is whether it will be WTO compliant and whether there is a chance that a different country or a different jurisdiction will provide a challenge. We feel quite secure and confident that this will not be challengeable at the WTO, because it applies to all distillers. That is very important. It benefits the entire sector, so that is very good.

The other question I would think all members of Parliament would have is the cost. How much is it going to cost? I mentioned how much we are going to reduce the excise taxes, and the example I can give is an example from the U.K. It reduced the excise tax last year, in 2015, by 2%. In January of this year, the Scotch Whisky Association said that it had nearly £100 million to the positive for government revenues.

● (1335)

The idea that a tax reduction can only cost government I think in this case is incorrect. We have good, solid evidence, recent examples that would indicate that a modest excise tax reduction would actually increase revenues to the government.

I would also like to point out that, just in volume increases and other increases that go along with business, from 2006 to 2015, the excise tax collected on spirits actually increased $200 million. We have seen volume increase, and that is great, but there are huge opportunities for this sector.

If we compare the U.S. to Canada and the taxation involved, 54% of the price in the United States goes to federal, state, and local taxes, and it is nearly 80% of the price here in Canada. We need to continue to be more competitive to compete in America and around the globe.

Another unique difference between bourbon in the United States and Canadian whisky is that bourbon needs to be aged for only a year and Canadian whisky needs to be aged for three years. I would think that around the world, Canadian whisky is viewed as a premium product, but there is a premium amount needed and required to be warehoused, so we also need to be mindful of that.

If we look at the broader market, this is a very significant market worldwide. This is an $8-billion a year market worldwide. Canada has a pretty good chunk of that market. We are in at around $700 million, but we have huge potential and opportunity to actually reach about $2 billion of that market. We could potentially play around 20% to 25% of the market. One of the big reasons is that so many of our brands that we know here are really recognized around the world.

Spirits in this country represent $5.8 billion to Canada's GDP, and represent over 1,200 jobs directly, almost 9,000 in total. It is a huge employer. We can just imagine from the crop in the field to the bottle on the shelf all the different hands and businesses that would be involved to get to that number in this country.

I would also like to mention about the market, just to put in another comparable, that there are 60 to 70 distilleries in this country. There are about five or six significantly large distilleries and a few micro or small distilleries. However, looking at one small sector, there are over 800 small craft distilleries in the United States. In my speech later on, I will reference the opportunity of niche markets with those as well.

The other thing I want to talk about is the large distilleries such as Gimli Distillery in Manitoba and there is a few in Ontario as well. They need to reinvest in their plant and machinery, and a 6% reduction in the excise tax would be very significant for them. It would allow them to invest in green technologies. Many of the plants have some form of green technologies already, closed water loops and many other pieces of their plant, but that would allow them to continue reinvesting in green technologies in the plants. In addition to that, there is bottling and packaging. It would allow them to be competitive on the world market to make sure we do not lose packaging and bottling contracts to the United States. We want to make sure that plants are able to do that.

In addition, I mentioned that Canadian whisky needs to be stored for three years. Therefore, we need storage and additional warehousing. If we are to grow the industry to $2 billion a year, we will need some significant investment in warehousing. We need the large companies in this country to be able to afford to make those investments here and to grow.

I would also like to mention that in addition to the plant and machinery, there is a significant amount of marketing that needs to take place, not only here domestically but around the world.

● (1340)

We have significant markets in China, Japan, obviously in the United States, the U.K., and many other countries around the world. We are competing in a global market which becomes more global each and every day. We need to continue to allow those large companies to make investments in their marketing.

Up until 2010, Canada had the number one whisky in the United States. We need to make sure that we do our very best to get back into that and become competitive.

I come from a rural riding. Farmers are going to benefit from this as well. There are 320,000 tonnes of rye, corn, etc., and in some cases even wheat that go into this industry. Ontario, Quebec, Manitoba, Saskatchewan, and Alberta are huge suppliers of grains. With rye, for example, distilleries are the number one consumer and purchaser of rye and a huge purchaser of Ontario corn as well.

One thing some people in the House may not know is that when a commodity such as rye or corn goes into a distillery, that is not the end of its life. After it has been fermented and distilled, it becomes distillers grains. At that point, they are in huge demand by beef farmers, dairy farmers, and pork producers. They use it in their feed ration. That is another green example of what the industry is and it also leads to some niche opportunities like the United States has.

There is a distillery in Florida. I have not visited it but I have read about it. They have a ranch and on the ranch they obviously feed their cattle. The grains that go into the distillery are kept and fed to the cattle right on the ranch.

There are huge opportunities down the road in the agriculture sector and for farmers to be able to grow the crops on their farms, to be able to potentially afford to have a distillery on their farms, similar to what many wineries and breweries do. It could increase tourism around the rest of the country as well.

It would also allow agriculture, science and technology, and industry to partner together to create new and innovative varieties of crops, specific ryes, different wheats, that would cater to their niche market. One example, which is on a much larger scale, is rye grown in Saskatchewan that Crown Royal used for its world award-winning Northern Harvest Rye. These are the kinds of partnerships and initiatives that can really spur growth and really help farmers and the industry.

In the few minutes that are left, I would like to thank my staff and the opposition leader's office for their help. I would like to thank the Library of Parliament for its help guiding us along the way, Jan Westcott at Spirits Canada, and of course Still Waters Distillery in Concord. Barry Stein and Barry Bernstein have been a tremendous help in providing information and input about the benefits to this industry.

The last thing I will say is about small craft distillers. This is the biggest opportunity this country has in this sector. It is untapped. It really could unleash with the changes that we are proposing here in literally every member of Parliament's riding around the country. Not every riding has a distillery, but it certainly does not matter if one is a government member of Parliament or in the opposition, there are distilleries in some members' ridings and with the opportunity for many more.

The problem is the way the current system is set up with the excise tax and the requirements from CRA in the warehousing, it is a huge impediment to opening up a new business. What we do not want to have in this country is taxation and regulation being the reasons that we do not open up new businesses.

In the province of Ontario where I live, the LCBO is starting its modernization project. It is going to be less of a burden and less of a barrier to these new businesses. It is also time for the federal government to be a proactive partner, take a first step, and take a look at this.

We want to get this thing done. We are open to suggestions and ideas from other members. If they have amendments, or if they would like to see changes or additions, this is not cast in stone. We are open to ideas. I look forward to questions.

● (1345)

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): Mr. Speaker, the member says he has no pecuniary interest in the bill. I am just curious as to whether the member ever drinks spirits. If he pays for his own alcohol, he may indeed have a pecuniary interest in the outcome of this bill, but I will leave that between him and his bartender.

This is not an issue that comes up often in my riding. I am not sure whether small issues like the potential revenue loss to the government and the bigger issues like the impact of this law on international agreements outweighs the perceived advantages to domestic drinkers of spirits or to the industry that exports some 70% of our domestically produced product.

Has the sponsor of the bill obtained a legal opinion or does he possess only a personal opinion when he says the bill is not likely to face a WTO challenge

Mr. Ben Lobb: Mr. Speaker, trade associations and industry experts have taken a look at this very carefully. This bill is very different from the excise tax changes that took place in the beer and wine sectors. Those are coming up at the WTO. This is completely different. It applies to all distilleries, not just specific ones. It does not leave preference to Canadian versus non-Canadian products or inputs to go into it, so it is covered there.

I would be happy to have any trade lawyer give his or her interpretation of it as well. It should get full scrutiny as well because the intention of the bill is not to get into WTO issues, and we take that very seriously on this side of the House.

I appreciate the question. I knew it would come up. I want to assure the House that this is not the first time we have thought about this. Industry trade associations feel very confident that this will pass the test.

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Mr. Speaker, I want to thank the hon. member for the work he is doing. When I presented a private member's bill to help the wine industry, I was a teetotaller at the time and had not partaken of any Okanagan wine. I appreciate his honesty, but also his focus on increasing economic growth in Canada.

When I participated in pre-budget consultations in British Columbia, the Victoria distillers advocated for this. In my old riding of Okanagan—Coquihalla, Maple Leaf Spirits asked for this. From my discussion with other members, it seems the industry is asking for this in every part of the country.

Knowing the member has put forward a bill that would help many different parts of the economy, is he getting feedback from some of these organizations, like tourism, etc., that he thinks could be brought to committee to address the concerns of some of the members across the way have?

Mr. Ben Lobb: Mr. Speaker, one of the significant differences between other industries compared to the distillery industry is that someone can operate a distillery in an industrial park in Concord, Ontario, or on a farm. It is really that broad.

There is a small distillery in Ontario, in Prince Edward county. There is one in Concord, Ontario, as I mentioned. There is one Grimsby, Ontario. There are larges ones in Windsor, etc. Tourism has seen the benefits of the wine industry, the beer industry, and the small breweries which have grown in recent years. This will increase tourism, there is no doubt about it. It will increase the experience.

When I was first elected, in my riding of Huron—Bruce there were no wineries, no breweries, nothing. There now are three wineries and two breweries. When people come to a riding like Huron—Bruce, they come for the theatre and the lake. Being able to visit a winery, or a brewery or even a distillery adds to the experience and people want to come back. Therefore, from a tourism perspective, it is a no-brainer.

● (1350)

Mr. Steven MacKinnon (Gatineau, Lib.): Mr. Speaker, it is a pleasure to rise on Bill C-232. I congratulate my hon. friend from Huron—Bruce for his quite obviously diligent work on this issue. Perhaps in the future we can contemplate having a wee dram over this or any other issue in the House. I congratulate him on his work. However, sadly, many of us on this side will be unable to support this bill.

The Government of Canada is focused on helping middle-class Canadians have more money in their pockets so they are able to save for retirement and provide for their families.

We know the single-best thing we, as a government, can do for Canadian businesses, including our spirits industry, is to create a strong economy with a strong customer base, a strong consumer base, a middle class that feels confident about the present and the future, and is on a secure financial footing.

This is exactly what the Government of Canada has helped to support and sustain. In budget 2016, we have taken an essential step to revitalizing the Canadian economy. Budget 2016 puts people first and delivers the help that Canadians need. It is an essential step to restore prosperity to the broadest cross-section of our consumer base, the middle class.

That is why the first item the Minister of Finance introduced in his motion earlier this week was the Canada child benefit. Compared to the existing system of child benefits, the new Canada child benefit will be simpler, tax free, more generous, and better targeted to those who need it most. It will put more money in the pockets of nine out of ten Canadian families. Families will receive an average of $2,300 more annually. This is the most significant social policy innovation in a generation.

[*Translation*]

Furthermore, Mr. Speaker, almost nine million Canadians already benefit from the middle-class tax cut that the government introduced in December. Those measures demonstrate leadership at critical times. They support Canadians when and where they need it most.

Our spirits industry plays an important role in our diversified economy. My hon. colleague gave a good description of the nature of the industry. As we discuss the tax reduction proposed in this bill, it is important to first note that the rates of excise tax have not changed in 30 years. This means that our producers already enjoy a lower real rate of taxation because of the effect of inflation over the years. There are few or no strategic reasons for using the excise tax system to provide financial support to the spirits industry.

Spirits Canada, an important industry stakeholder, has said that any reduction in excise taxes should be reinvested in export markets and used to increase distillers' profit margins. There is no indication that the savings should be passed on to the average Canadian consumer in the form of lower prices.

[*English*]

Our spirits industry is an important player in our diverse economy. As we discuss the rate reduction proposed in this bill, it is important to first note that the excise duty rates have been effectively unchanged for 30 years. This means that our producers are already benefiting from a diminished real rate of taxation due to inflation since then.

There is little to no policy rationale to use the excise tax system to provide financial support to the spirits industry. Spirits Canada, an important stakeholder for the industry, has indicated that any relief in excise duty is meant to be reinvested in export markets and increase the profit margins of distillers. There is no indication that any savings are meant to be passed on to the average Canadian consumer in the form of lower prices.

Indeed, since exported alcohol products are completely exempt from federal excise duties, it is fair to say that the average Canadian consumer would likely pay the cost for producers charging lower prices in overseas markets without benefiting from savings in Canada.

Standard servings of beverage alcohol products, based on a 17 millilitre volume of absolute ethyl alcohol, are subject to varying amounts of federal excise. The higher relative duty on spirits has been a long-standing feature of the alcohol taxation structure both at the federal and provincial levels and is consistent with the fact that spirits are generally higher-value products.

● (1355)

The Canadian distilling industry is dominated by multinational companies that are export oriented, with over 70% of annual national production being exported. Since exported alcohol products are completely exempt from federal excise duties, most domestic spirits production would not be affected by any excise duty reduction. Instead, domestic consumers of Canadian spirits would likely pay for the cost of producers charging lower prices in foreign markets.

A general excise duty reduction would also apply in the bill to imported spirits products sold in Canada, which account for roughly one-third of all domestic sales. If this reduction is similarly not passed on to consumers, it would result in a large windfall gain for either provincial liquor boards, which are the sole legislated importers of spirits into Canada, or the foreign producers selling to those liquor boards.

Perhaps most important, tax policy programs targeted exclusively to Canadian producers or products face, as my colleague for Laurentides—Labelle raised, the risk of being considered offside international trade rules, as this could be considered to discriminate against imported products.

The current excise duty relief provisions targeted for Canadian beer and wine were already the subject of a 2007 World Trade Organization dispute brought by the EU. This dispute was ultimately settled by Canada agreeing to provide compensatory tariff reductions on affected products.

[*Translation*]

Canada continues to face significant international pressure against its existing measures. Any new tax measure benefiting domestic spirits would probably result in new trade disputes against Canada.

There is another way to look at this issue: if excise taxes were reduced on domestic products and other countries took retaliatory measures, the reduction could jeopardize exports by the spirit industry, which is the very industry my colleague wants to defend. These exports represent a significant part of this industry's activities.

I would also like to point out to the House that establishing a new excise regime for domestic producers could be seen to contradict the position taken by Canada in international trade disputes. At the request of Spirits Canada, Canada recently joined the EU challenge of the discriminatory tax treatment of spirit imports in Colombia.

[*English*]

People work hard, and they expect their government and their economy to work hard for them in return. At the core of our plan is the notion that when we have an economy that works for the middle class, we have a country that works for everyone.

Budget 2016 is the first step in that plan. This approach means new investments in skills and labour strategies, and in innovation to unlock the potential of greater productivity. Those are the real drivers of economic growth and job creation.

Our goal remains the same. We are committed to strong economic growth, and we need the resolve to follow through on sustained strategic investments guided by a vision of the future in which all Canadians have a real and fair chance at success. This is our government's central mission. We are choosing to take advantage of a historic opportunity to invest in people and the economy, and to prepare Canada for a brighter future.

Of course, we recognize that this is only the beginning. We have much work ahead of us, but we know there is no limit to what we can achieve as a country.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I am very pleased to speak to the bill introduced by my colleague from Huron—Bruce. I will start by commending him on the initiative he is proposing in the House today.

I am a bit disappointed that my colleague from Gatineau kind of missed the point of the bill, which is to help small producers and microdistilleries that produce less than 100,000 litres of ethyl alcohol a year. I am disappointed that he focused on the modest reduction in excise tax for distillers who produce more than 100,000 litres a year. That is one of the only concerns I have with this bill because it is mainly the major players who will benefit from this modest reduction.

As my colleague explained earlier, the bill primarily addresses microdistilleries, and not multinationals in Canada that essentially do a lot of exporting. Multinational distillers that are set up more or less everywhere do a lot of exporting. However, the bill primarily concerns microdistilleries that produce less than 100,000 litres a year. We have to put that into perspective. I hope my colleagues across the way will appreciate this positive aspect of the bill, because it encourages small and medium-sized businesses.

As my colleague from Huron—Bruce pointed out, microdistilleries are important economic drivers in many regions across Canada. They are small businesses that hire people across the country and try to carve out a space for themselves in a difficult market. All members here will recognize that the spirits and distilling market is a difficult one.

As parliamentarians, we must consider the existing Excise Act and look at how we can give our small businesses better opportunities in a highly competitive market.

Imports are also a huge factor. We export a lot of our products, but in our domestic market, we also import many products from other countries.

That is why I think it is important to focus on microdistilleries, the smaller players that are already operating in an extremely competitive and regulated market. There is a considerable administrative and regulatory burden imposed on distilleries. One would have to read the Excise Act to understand just how how heavy a burden this is on businesses.

The rules are extremely strict, and quarterly reports must be produced, in addition to annual reports. Every litre of alcohol produced must be recorded, bottled, and labelled. This is extremely onerous. Furthermore, distilleries need to obtain licences and renew them every year. Their offices must be accessible to inspectors working under the authority of the Minister of National Revenue. The inspectors must have access to the facilities and be able to review all documentation every year. Often, these are microbusinesses, and we are seeing them all across Canada. It is important to note that this sector is booming right now. Microdistilleries are popping up all over the place, including in Quebec. Some just recently entered the market. Every microdistillery talks about the huge burden associated with starting a business in this sector.

● (1400)

I was talking about licences earlier. Producers also need collateral and substantial start-up capital. It can take time for producers to see a return on their investment, especially if they are making spirits that need to be aged, such as whiskey.

Canadian whiskey has to age in barrels for three years. Producing whiskey requires a substantial investment. People do not see returns for three years, and then only if they did their initial research and development properly so as to end up with a quality product that, three years later, can compete internationally against other quality products.

It is also important to mention the Association of Canadian Distillers. The two members who spoke before me mentioned it. They did a lot of work and research and found that there is a need to restore balance in the gaming and alcohol market in general because some sectors enjoy significant advantages over others.

That is an important point. The Association of Canadian Distillers did the work and came to that conclusion, and they sent the government a budget proposal to reduce the excise tax on the first 100,000 litres of absolute ethyl alcohol for distillers.

Where we have somewhat different views, as I said at the beginning, is on reducing the excise tax on surplus litres, that is, when more than 100,000 litres are produced. We do not see the point of lowering it by nearly 70¢. If we manage to get this bill to committee, would could examine this issue a little more closely.

Furthermore, in this first hour of debate, it is also important to point out the discrepancy with the request from the Association of Canadian Distillers. I would have liked to ask my colleague a question about that earlier, but unfortunately I did not have a chance to do so.

In clause 1 of Bill C-232, which amends section 122 of the Excise Act, 2001, we read the following, "With respect to the first 100,000 litres of spirits produced in Canada...duty is imposed".

However, the request from the Association of Canadian Distillers talks about the first 100,000 litres of ethyl alcohol. In addition, in his speech, my colleague also talked about 100,000 litres of absolute ethyl alcohol. It might be important to confirm exactly what is meant in clause 1 of Bill C-232, which talks about the first 100,000 litres of spirits produced in Canada.

I think it is important to make the distinction because if we take the first 100,000 litres of spirits, and agree that each litre of spirits produced in Canada contains 40% absolute ethyl alcohol by volume, we might conclude that the first clause of the bill seeks to reduce the excise tax on the first 40,000 litres of absolute ethyl alcohol by volume.

However, I am sure that my colleague meant to focus on the first 100,000 litres of alcohol and not the first 100,000 litres of spirits, because spirits contain more than just alcohol.

I want to reiterate my support and that of the NDP and I hope I will have my caucus' support to send this bill to committee for further study, including another look at the cost. I know that the cost is estimated at $55 million and that in a few years there could be some cost recovery as a result of increased production.

I hope that we will get enough support from our colleagues in the House. I urge all my colleagues on all sides of the House to support this bill and send it to committee, because it is extremely important to support small and medium-sized businesses and the microdistilleries. Distillers who produce less than 100,000 litres of alcohol a year are small businesses, economic drivers of the regions.

I encourage all my colleagues to support this bill.

● (1405)

[*English*]

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Mr. Speaker, this is a fitting bill for a Friday afternoon.

First, I congratulate my colleague, the member for Huron—Bruce, who I think has done an excellent job on a bill that would significantly help the prospects of economic diversification in many different corners of our country.

I had a speech prepared, but I actually want to spend time refuting some of the assumptions that have been brought up in some of the questions from my Liberal colleagues today. I hope they will actually consider these points.

From what my colleague, the member for Huron—Bruce said, I believe he is open to amendments, so I hope the bill is not rejected flat out. I will explain why.

As an example, when the wine industry in its present form took root in British Columbia about 30 years ago, it completely transformed the economy of interior British Columbia and of British Columbia as a whole. Today the wine industry in British Columbia is not just about the production of the product itself. It is delicious, and I certainly encourage my colleagues to try some delicious B.C. VQA wine, but what is more important is the number of people employed in the sector, the investments that have been made in infrastructure around the industry, and the hospitality trade in wine tourism. The wine industry has fundamentally changed the region.

Economic diversification is not just about a grant or running a $30 billion deficit; it is actually about making small, meaningful changes that can significantly encourage investments and new activities. That is what Bill C-232 proposes to do. This is one of those small, meaningful changes that can have a significant impact on an entire industry.

What do I mean by economic diversification? Why is the bill helpful?

If the bill comes into force, it would, without a shadow of a doubt, encourage investment by small producers into microdistilleries. We have the data on that. I encourage my colleagues from the Liberal Party to look at the consumer trend reports from Agriculture and Agri-Food Canada showing some of the market indicators on the potential growth in the spirit industry in Canada. There is huge potential for growth here if we have the right economic conditions.

What we are hearing from the industry is that the particular measure that is included in this bill is what needs to happen in order for people to do a few things: make the investment into equipment and facilities to produce the product and, as my colleague mentioned, look at new crops and the diversification of our agri-food and agriculture sector. Also, we need to be more competitive internationally and in the domestic market.

One of the assumptions that came up in the questions was that making this small, meaningful change would somehow reduce government revenue. I firmly push back on that particular assumption, because I do believe what will happen is what we saw in the wine industry when we made certain changes to allow that industry to grow: we saw an enormous growth in the money that comes into Canada as part of Canada's GDP through that industry. When we have made small changes, we have seen more revenue come into the government's coffers. There is more investment and more tax revenue coming from that.

We know that we do not necessarily have to increase taxes to get more government revenue. I actually believe it is the opposite. I believe that when we reduce taxes, people will take more risk. It will incent them to try new products and new programs. That is what this bill would do.

Specifically with regard to the excise tax reduction proposed in the bill, the assumption that because there has been no material, real increase in the excise tax over a period of time, or that there has actually been a reduction, misses the point. The point is that other countries around the world have reduced their excise tax significantly, so when Canadian distillers are trying to get into that market or when Canadian consumers are considering a choice in product, Canadian producers are unduly disadvantaged. Bill C-232 would change that.

● (1410)

This would put Canadian producers of spirits on an even playing field and an even footing, and one could argue they could even go further than some of their international competitors. If we did that, we would see growth in the industry.

Distilleries can impact the economic diversification of virtually any region of the country. We have certainly seen a big increase in the appetite for these types of products.

I will re-emphasize that this is not a niche issue. This industry has had a significant impact on the Canadian economy already. Over 8,500 jobs are associated with the spirits industry. Excise duty revenues have increased by over 40% between 2006 and 2015, which shows that, as the industry grows, government revenue increases. Therefore, if we slightly decrease the excise tax rate to make it more attractive for investment in this industry, we likely will see, based on these forecasts, an increase in revenue over time.

Another very interesting fact in the other economic spin-off is that Canadian distillers use 320,000 metric tonnes of Canadian grain. Spirits producers are the largest purchaser of rye grain in Canada and among the top producers of grain corn in Ontario, Quebec, and Manitoba. Again, this about the economic diversification of not just one industry expanding itself, but it is also looking at how we make our agriculture industry more competitive and more diverse.

According to the Distilled Spirits Council of the United States, 54% of the retail price of an American whiskey sold in the USA is federal, state and local taxes, but a comparable number in Canada for Canadian whisky is 82%. Members can see what a large delta there is in being able to be competitive with international producers.

Canadian whisky and other spirits account for over two-thirds of Canada's beverage alcohol exports, with wine and beer being less than one-third. Therefore, why is the bill important to our international competition? It is because our spirits industry is at the forefront in terms of promoting Canada's brand awareness in international markets on our overall beverage products.

More equitable federal duty rates for spirits are critical to spur growth and investment in industry plants, brands, innovation, and opening of foreign markets. I appreciate some of the comments my colleague from the NDP made as well, but essentially, if individuals are spirits producers or a craft distillers and if they are looking at making investments in expanding their production and want to market overseas or encourage Canadians to partake in their beverages, this is a very clear signal from the government that it is here to support growth.

In my time as minister of state for western economic diversification, I had a small pool of grant funds that were available to fund projects that would hopefully help encourage trade, or skilled labour training, or promote diversity in the economy through developing new and innovative products. Grants are one thing, but sometimes tools like this, where we slightly reduce a tax rate, can be so powerful in sending a signal to the industry that we are serious about seeing it grow.

To me, this is really an easy and simple thing that the government could do to send a signal to the industry that it wants to see this industry grow and that economic diversification is something about which the Liberals are serious.

Many of the speeches talked about supporting the middle class, and this and that. However, at the end of the day, this move would undoubtedly create jobs in Canada. It would make our agriculture industry more resilient, and it would certainly allow new and interesting sources of revenue for producers who might look to enter this market.

● (1415)

[*Translation*]

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): Mr. Speaker, I rise to speak to Bill C-232, an act to amend the Excise Act, 2001 (spirits).

This bill would amend the Excise Act, 2001, to provide a general reduction in the rate of excise duty on spirits and also to impose a larger reduction in the rate of duty on the first 100,000 litres of spirits produced by a Canadian distiller. Here are the details.

The first 100,000 litres of spirits produced in Canada by a spirits licensee in a fiscal year would be subject to a new rate of excise duty of $6 per litre of absolute ethyl alcohol, or AEA, which would represent a reduction of almost 50% in the rate in effect. For all Canadian production over and above 100,000 litres of AEA, and for all imported spirits, the general rate of duty would be reduced from $11.696 per litre to $11 per litre.

During my time today, I would like to share several important reasons why the House should not support this bill. As we have indicated many times since our budget was tabled on March 22, the government is determined to help Canada's middle class and those who are working hard to join it. We started working on these challenges in December, by lowering taxes for Canada's middle class and lowering the personal income tax rate from 22% to 20.5%.

On January 1, 2016, Canadians whose taxable income is between $45,282 and $90,563 saw a drop in their income tax rate. They will keep more of their paycheques so that they can save, invest, and help grow the economy.

In total, nearly nine million Canadians now benefit from this tax cut. Single Canadians who benefit from this measure will, on average, pay $330 less in taxes a year. Couples will see an average tax cut of $540 a year.

To help pay for this middle-class tax cut, the government increased taxes for the wealthiest Canadians by creating a new higher income tax rate of 33% for individual taxable incomes in excess of $200,000. Bill C-232 would implement measures that are not necessarily good for taxpayers.

Right now, the Canadian distillery industry exports over 70% of its annual domestic production. Since exported alcoholic products are completely exempt from federal excise duties, most of Canada's spirits production would not be affected by lowering excise duties. Instead, a reduction in the rates of duty would apply to the domestic consumption of Canadian spirits.

However, producers of spirits have indicated that they would use the proposed tax cut to increase their exports. As a result, Canadian consumers risk having to pay the price of the producers' move to charge lower prices on foreign markets.

The general reduction in excise duties proposed in Bill C-232 would also apply to imported spirits that are sold in Canada, which represent almost one-third of all sales in the country. There is no guarantee that those savings would be passed on to Canadian consumers.

If Bill C-232 is passed, it will cost an estimated $55 million a year in forgone tax revenues.

I will now move on to another shortcoming of Bill C-232, namely the problems it will cause for trade, both on the domestic and world markets.

As noted in Budget 2016, an open trade and investment environment allows firms to thrive and provides better jobs for the middle class. The competitiveness of Canadian businesses in the international marketplace will be enhanced by breaking down barriers to trade, both internal and abroad, and providing the appropriate tools and policy framework that allow Canadians to take advantage of new trade opportunities.

● (1420)

For instance, the government recently took the last steps to finalize the Canada-European Union comprehensive economic and trade agreement.

Canada and the European Union both intend to ratify the agreement as soon as possible, so that our citizens can reap the benefits of that excellent agreement.

The government is also determined to strengthen Canada's trade relations with large emerging markets.

Tax policy programs that exclusively target Canadian producers or products could be considered contrary to international trade rules, because they could be considered discriminatory against imported products.

Under Bill C-232, only spirits produced in Canada would be eligible for reduced excise duties at a preferential rate of $6 per litre of AEA for the first 100,000 litres produced.

Furthermore, if the reduced excise duties are meant to benefit Canadian products at the expense of imports, that could jeopardize Canada's exports, including the major component of exports from the spirits industry, if other countries were to take retaliatory measures.

I think it is quite clear that the provisions of Bill C-232 would seriously compromise Canada's position on global markets.

● (1425)

[*English*]

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Mr. Speaker, I again want to state on the record today that I am very much in support of the hon. member's bill, specifically around excise. I come to this as a British Columbian who has consulted with stakeholders on the matter.

I mentioned earlier in the debate that, in my former riding of Okanagan—Coquihalla, there is a fine distiller called Maple Leaf Spirits, which was originally located in an industrial section of the city and now resides on the beautiful Naramata Bench, along with the other wineries.

The reason I raise it in this place is that artisan distillers are quickly becoming very similar to what we have seen in the wine industry in British Columbia, where people want to golf and go to the beaches as part of their vacations, but they also want to see a different side to what they drink or eat. Often, the opportunity for them to go to a winery or, now, an artisan distillery, has really increased the profile of British Columbia, as well as the economic development.

The sponsor of the bill has said that there are many aspects to this bill, particularly to farmers, who would obviously be selling more of their crops to the distillers, who would then add value, something that I think most people would say is a good activity. Then they would be able to sell more internationally, which I believe would all be part of this bill.

The reason I say that is, if we look at the context of the spirits industry, we see there are a few larger players that have unique considerations—again, Canadian whisky having to be stored for three years before it can be sold—and many small distillers, such as Maple Leaf Spirits in my former riding, as I mentioned earlier.

Rather than the government coming out with a grant that certain companies that know about the grant can apply for, this bill would allow the entire sector to free up a portion of its budget that originally would be going to excise tax. They would be able to consider developing their tourism facilities or scaling up production. Especially for the small producers, these two opportunities are very important, because having more sales at the seller gate is very important, but being able to scale up means that they would be utilizing more Canadian product. Then they would have the economies of scale so that they could be more competitive in their pricing.

Victoria Distillers in Sidney, B.C., has a tremendous tourism facility that is very impressive, but it has said it has been really trying to reach out to the United States. I believe Seattle was one of its target areas, because Victoria Gin, one of its spirits, was doing quite well there. It was building some brand presence. It would actually be able to use some of this money for further marketing.

There are a number of reasons why this bill should go to committee. There is an opportunity for us to help an industry. Rather than a grant going to an individual company—and, again, not every company is going to be able to take advantage of a grant—every company involved in this area would be able to choose how to allocate that money. Would they invest in their facilities, would they invest in order to scale up, would they increase their economies of scale so they could sell at a competitive price, or would they use that money for marketing so they could sell more product?

The member has come up with a solution that is market based and very innovative. Government always seems to say that business should innovate. This is a very good case where governments can innovate, revise old tax law, and support and allow these businesses to grow.

● (1430)

[*Translation*]

The Assistant Deputy Speaker (Mr. Anthony Rota): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until Monday, May 2, 2016, at 11 a.m., pursuant to Standing Orders 28(2) and 24(1).

(The House adjourned at 2:30 p.m.)

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