



Debates of the Senate

1st SESSION

•

37th PARLIAMENT

•

VOLUME 139

•

NUMBER 60

**OFFICIAL REPORT
(HANSARD)**

Thursday, October 18, 2001

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**THE HONOURABLE ROSE-MARIE LOSIER-COOL
SPEAKER *PRO TEMPORE***

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Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate

Available from Canada Communication Group — Publishing,
Public Works and Government Services Canada, Ottawa K1A 0S9,

Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, October 18, 2001

The Senate met at 1:30 p.m., the Speaker *pro tempore* in the Chair.

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of the six recipients of the 2001 Governor General's Awards in Commemoration of the Persons Case.

It is my pleasure to welcome you to the Senate of Canada.

[Translation]

Your commitment and perseverance are a source of great inspiration to our fellow Canadians. Welcome to the Senate of Canada.

[English]

SENATORS' STATEMENTS

PERSONS DAY

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I rise today, Persons Day, to celebrate the role that Canadian women have played in our nation's history.

In 1929, the "Famous Five" — Emily Murphy, Henrietta Muir Edwards, Louise McKinney, Nellie McClung and Irene Parlby — succeeded in having women recognized in Canadian law as persons for the purpose of appointment to the Senate of Canada.

Persons Day falls within Women's History Month, an opportune time to contemplate the advances women have made around the world in their struggle to be accepted as full citizens of their own countries.

Honourable senators, a biographical encyclopaedia published in Toronto in 1886 summarized in eloquent terms the state of women in our nation. The title of the book was *A Cyclopaedia of Canadian Biography, Being Chiefly Men of the Time*. Today, we all acknowledge that there are countless women who merit biographies, a testament to how far society has progressed since 1886.

Women have always played an important role in shaping society, perhaps the most important role in shaping society: that of raising our children. It is only relatively recently, however,

that we have expectations of women outside of the domestic sphere, and it is only recently that women have worked alongside men as full and equal partners.

Women have made much social progress, especially in North America. We have only to look at recent world events to appreciate the dichotomy that still defines women's lives around the world. At the present time, there is an American aircraft carrier in the Arabian Sea, the *Carl Vinson*. It is named after a congressman who adamantly opposed women serving in the military, and yet today, on that very ship, women are pilots and mechanical engineers. These women are fighting a regime that supports not only terrorism but denies Afghani women the right to be free and full participants in their own society.

Canada is fortunate to have many Canadian women pioneers who serve as our role models for future generations. Susanna Moodie and Catherine Parr-Trail chronicled the setbacks and rewards of settling a new Canada. Pauline Johnson became a famous voice for her Mohawk ancestors at a time when the world believed that Indians were a dying race. Their accomplishments were remarkable during a time in our country's history when survival alone was remarkable.

[Translation]

As we know, the Honourable Muriel McQueen Fergusson was the first woman to be appointed as Speaker of the Senate. That was in 1972. The first woman appointed to the Senate was the Honourable Cairine Wilson, in 1930.

[English]

In this month, celebrating women's contribution and accomplishments, and in this International Year of Volunteers, we should remember that over 75 per cent of Canadian women participate in volunteer activities. Our world would be a vastly different place without the personal contributions made by women who are motivated to better the lives of their families, their friends and their communities.

While the accomplishments of men have rightly been preserved in our history, sadly, the accomplishments of women have not. As Virginia Wolfe famously argued, we would never know if Shakespeare had a sister.

I do not believe that this month was reserved to honour only those women who succeeded against remarkable circumstances, but to honour all women who have experienced hidden and blatant discrimination, all women who were refused equal access, and all women who were denied basic freedoms enjoyed by their fellow citizens. Most of all, this is a time to honour the countless women who did succeed at overcoming their circumstances.

• (1340)

We can ensure that their lives, while unchronicled, were not inconsequential. They also need to be remembered.

AGRICULTURE AND FORESTRY

LOW COMMODITY PRICES—MOTION BY COMMITTEE CONDEMNING GOVERNMENT

Hon. David Tkachuk: Honourable senators, as many senators know, the agricultural community in Western Canada has been hard hit by low commodity prices. There are many reasons for this, the main one being that the subsidy policies of the governments in the European Community and the United States cause an oversupply of product; hence, low prices in the international marketplace.

Farm groups have come forward and been heard by the Standing Senate Committee on Agriculture and Forestry numerous times. They have outlined their problems, which are compounded by ever-increasing production costs, and also their solutions.

Today, we heard from three Manitoba farmers who have been to Ottawa a number of times to speak about their plight. They worked hard preparing their excellent submissions to the Senate committee.

Today, the committee, after hearing their testimony, saw fit to move a motion, which reads as follows:

That the Standing Senate Committee on Agriculture and Forestry condemn the federal Liberal government for its lack of action on the western farm crisis.

I am ecstatic that the motion was passed with little debate and enthusiastically received with only three dissenting votes in a committee of 12. I ask that all senators in this place wholeheartedly support the motion of the Standing Senate Committee on Agriculture and Forestry and show support to the committee for its strong action in this crisis.

GOVERNOR GENERAL

RECIPIENTS OF PERSONS CASE AWARDS

Hon. Vivienne Poy: Honourable senators, last year on this day, along with many of our colleagues, I had the privilege of attending the unveiling of the monument of the “Famous Five” here on Parliament Hill. As we all know, these five women made it possible for women to be appointed to the Senate of Canada. As many also noted at the time, the unveiling was significant because it was the first sculpture of Canadian women to grace Parliament Hill.

Since then, women and men from across Canada and around the world have visited the site and they have been inspired by the larger than life sculptures of these formidable women.

On every October 18, the Governor General’s Awards to Commemorate the Persons Case are presented to five women in order to honour modern-day versions of the “Famous Five,” women who work on behalf of other women in our community. Like the “Famous Five,” these women have realized the power of the individual to make a difference and bring about change. It is important that on this day we highlight their achievements.

Linda Silver Dranoff and Kathleen Mahoney are both lawyers who champion the rights of women in the courts. Vera Danyluk and Lynda Sorenson use the political forum and community activism to effect change. As a dedicated health care professional, Madeleine Gaudet works to improve the working conditions of nurses and other working women. Finally, Anila Umar, who received the youth award, represents the future. While pursuing two degrees, she acted as an advocate for the rights of children as well as of minority and immigrant women.

On this day, as we celebrate the Persons Case, I congratulate the awards winners whose achievements mark another step toward equality for women in Canada while giving the daughters of Canada a future of unprecedented opportunities.

MR. JEAN BÉLIVEAU THE HONOURABLE E. LEO KOLBER

CONGRATULATIONS ON RECEIVING DOCTORAL DEGREES FROM SAINT MARY’S UNIVERSITY

Hon. Wilfred P. Moore: Honourable senators, I wish to advise that on October 4, 2001, Jean Béliveau was awarded an Honorary Degree of Doctor of Civil Law by Saint Mary’s University of Halifax, Nova Scotia at its fall convocation in recognition of his stellar contribution to our national game during his all-star career as a member of the Montreal Canadiens and for his unselfish community work.

In his citation, Archbishop Austin Burke said:

Mr. Béliveau’s life has been a model for others on the ice and off the ice.

Dr. Béliveau joins another esteemed recent graduate of my alma mater, our colleague Senator E. Leo Kolber, who was awarded an Honorary Degree of Doctor of Laws by Saint Mary’s at its convocation held on May 15, 2001, in recognition of his leadership in business and politics, including spearheading the recent changes to our capital gains tax regime, and for his tireless and generous community work, particularly on behalf of the Jewish General Hospital in Montreal.

We commend Saint Mary’s University for bestowing these most deserved recognitions, and we congratulate Drs. Béliveau and Kolber, two of the finest captains to ever compete respectively in the rinks and boardrooms of Canada.

CAUSE AGAINST TERRORISM

Hon. B. Alasdair Graham: Honourable senators, yesterday, I watched Operation Apollo set sail from Halifax Harbour, as did thousands of Nova Scotians and Canadians of all ages and walks of life. As HMC ships *Iroquois*, *Charlottetown* and *Preserver* sailed toward the open water, I reflected on the great naval tradition of this proud point of departure.

The shores were lined with thousands of people who came, as they did in past conflicts, to say goodbye. Then, as now, there were speeches, flags and, indeed, there were tears. Then, as now, there was resolution, quiet courage and the kind of strength always shown by Canadians in times of crisis. Then, as now, there was the overwhelming sense that freedom and our way of life must be defended, that a new kind of war was unfolding, that the moral depravity of terrorism must be eradicated, no matter what the price.

As I watched the many family members wearing “invisible ribbons” as I am wearing today — which are clear plastic bows tied with the Canadian flag — I thought of their brave struggle with the uncertainties of the future. I thought of their quiet acceptance of the efforts that will be needed to safeguard and protect our way of life. Those who are left alone to keep the spirit alive will wear these ribbons until their loved ones come home.

The children will be told stories of a time of honour. They will be told about a new chapter in the story of the strength and conviction of the Canadian people over the centuries — these young children who we all had always hoped would have the good fortune not to know war.

We must continue to work overtime in the diplomatic corridors, honourable senators, with the excellence of our international legal arsenals and with the deep-rooted multilateralist instinct which is part of the Canadian psyche. We must work with conviction and with courage to put an end to the grave sin of indifference, to the awful cesspools of poverty and oppression which haunt too many peoples and too many countries in our time.

I believe that we will, as a nation, go beyond all odds and beyond all expectations. We will fight with great honour and valour on all fronts. We will give what is needed so that our children and our children’s children may live in peace.

FAMOUS FIVE AND PERSONS CASE

Hon. Joyce Fairbairn: Honourable senators, as a woman, an Albertan and a senator, I could not let this day pass without recalling the memory of the “Famous Five” from Alberta — Henrietta Muir Edwards, Nellie McClung, Emily Murphy, Irene Parlby and Louise McKinney — who, in 1929, had the courage, stamina and spunk to go right to the top to change our history so that women would, by right, be judged capable of becoming senators of Canada.

It is with great joy that we look at the “Famous Five” when we go out the door of the Senate every day. I do not think there has

been a day when there have not been Canadians there shaking their hands, sitting in their chair and touching the tea cups. It has been a great occasion to have the “Famous Five” recognized for all to see on Parliament Hill.

• (1350)

I offer my congratulations, as other senators have, to their successors, who will be honoured today at Government House with the Persons Case awards, which commemorates the place these pioneers from Alberta made in history. They changed the lives and the aspirations of women throughout the years. There is no doubt in my mind that I would never have been able to walk through the doors of this chamber had it not been for the “Famous Five.”

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of a former colleague, the Honourable Senator Keith Davey. Welcome back to the Senate.

Hon. Senators: Hear, hear!

GOVERNOR GENERAL

RECIPIENTS OF PERSONS CASE AWARDS

Hon. Sheila Finestone: Honourable senators, I wish to add a word or two to the very warm tributes of memory and remembrance given by Senators Fairbairn and Poy.

This is a remarkable time in the history of the evolution of women in our society. We have again today a number of women whom we will honour, who bring witness to the fact that it is more than time for the role and place of women in our society to be represented in equal measure and as full partners with our men.

So it is that the “Famous Five,” who laid the groundwork that allows women to be in this chamber today, have following in their steps these outstanding women: Linda Silver Dranoff, Kathleen Mahoney, Madeleine Gaudet, Anila Umar, and, of course, two of my friends, Lynda Sorenson and Vera Danyluk.

These women are the successors to the five women portrayed in the bronze sculpture we see outside this building. As Senator Fairbairn said, people sit down on the chairs, pretend to have a cup of tea, and enjoy the thought of equality for women. The “Famous Five” really worked for their society, whether it was for men, women or children. They demonstrated that women can move in their careers anywhere they so desire. We are here to acknowledge the fine work done by those wonderful women in 1929, when I was practically not even a person.

History has changed, honourable senators. Are we not all the better for it? I wish to congratulate once again the award recipients.

[Translation]

ROUTINE PROCEEDINGS

CANADA SHIPPING BILL, 2001

REPORT OF COMMITTEE

Hon. Lise Bacon, Chair of the Standing Senate Committee on Transport and Communications, presented the following report:

Thursday, October 18, 2001

The Standing Senate Committee on Transport and Communications has the honour to present its

SIXTH REPORT

Your Committee, to which was referred Bill C-14, An Act respecting shipping and navigation and to amend the Shipping Conferences Exemption Act, 1987 and other Acts, has, in obedience to the Order of Reference of Wednesday, May 30, 2001, examined the said Bill and now reports the same without amendment, but with observations which are appended to this report.

Respectfully submitted,

LISE BACON
Chair

(For text of observations, see today's Journals of the Senate, Appendix to Report, p. 853.)

The Hon. the Speaker *pro tempore*: Honourable senators, when shall this bill be read the third time?

On motion of Senator Callbeck, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

[English]

AGRICULTURE AND FORESTRY

FARMING CRISIS IN MANITOBA AND WESTERN CANADA—
REPORT RECOMMENDING COMMITTEE OF THE WHOLE
TO HEAR MINISTER OF AGRICULTURE AND AGRI-FOOD

Hon. Leonard J. Gustafson, Chair of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Thursday, October 18, 2001

The Standing Senate Committee on Agriculture and Forestry has the honour to present its

FIFTH REPORT

Your Committee, which was authorized by the Senate on March 20, 2001 to examine international trade in

agricultural and agri-food products, and short-term and long-term measures for the health of the agricultural and the agri-food industry in all regions of Canada, respectfully reports that the Minister of Agriculture cancelled his appearance today before your Committee, and therefore the Committee recommends that a Committee of the Whole be struck at the earliest opportunity to hear from the Minister of Agriculture on the crisis facing farmers in Manitoba and Western Canada.

Respectfully submitted,

LEONARD J. GUSTAFSON
Chair

The Hon. the Speaker *pro tempore*: Honourable senators, when shall this report be taken into consideration?

On motion of Senator Gustafson, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

QUESTION PERIOD

CITIZENSHIP AND IMMIGRATION

MEMORANDUM OF CHAIRMAN OF IMMIGRATION AND REFUGEE
BOARD REGARDING IMMIGRATION AND REFUGEE
PROTECTION BILL

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, can the minister confirm that the Chairman of the Immigration and Refugee Board has amended his memorandum regarding candidacies for the position of a division that has yet to be approved by Parliament, in accordance with what she told us yesterday was to be done? If that has been done, can she table or at least let us have a copy of that revised memorandum?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I have to tell the Honourable Senator Lynch-Staunton that I do not have a copy of that circular today. I will do everything in my power to have it for him when we sit next.

HEALTH

PURCHASE OF GENERIC ANTI-ANTHRAX DRUG—
BREACH OF PATENT ACT—TESTS TO DETERMINE SAFETY

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, my question is to the Leader of the Government in the Senate.

Can the minister confirm that Health Canada has ordered 900,000 doses of the anti-anthrax generic drug called Cipro from Apotex, which is Canada's largest maker of generic pharmaceuticals?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for his question. Indeed, I can confirm to all honourable senators that this drug has been purchased. Every attempt was made to get the drug from its primary manufacturer, Bayer. Unfortunately, Bayer did not have enough available. Additional supplies have been ordered from Apotex, the reason being that we all recognize we are living in extraordinary times, and extraordinary times require extraordinary action.

• (1400)

Senator Kinsella: Honourable senators, if it is true that Bayer AG still holds the patent for that drug, then Bayer is the only legal vendor of Cipro in Canada, as its patent on the antibiotic has not expired. What authority is the Government of Canada relying upon to breach the drug patent?

Senator Carstairs: The authority that the government is acting upon is the emergency situation in which we are all endangered, and the possible, and hopefully not probable, exposure that Canadians may have to anthrax.

The situation, honourable senators, is that Cipro has been identified as, perhaps, the most effective antibiotic, although not the only one, that can deal effectively with anthrax exposure. Many other antibiotics, such as ampicillin and erythromycin, can also be used to deal with this particular disease, but the drug in question has been identified by medical specialists as the one most likely to be effective in the treatment.

Senator Kinsella: Honourable senators, two avenues of questioning must be explored. First, the minister has just stated that the Cipro antibiotic is the “most likely to be effective.” What testing has Health Canada done to determine that this drug is safe to be used in Canada? Indeed, has it done any testing at all on the drug?

Senator Carstairs: My understanding is that the approval process for this drug was fast-tracked and that some preliminary testing was done; but, no, it has not gone through all of the normal safeguards because of the quick processes it has gone through.

Honourable senators, I think that everyone of us in this room, and perhaps across Canada, hope that this drug never has to be used.

Senator Lynch-Staunton: That is not the question.

Senator Carstairs: It is being stockpiled. It may never be used, but since it has been identified by the U.S. Food and Drug Agency, it was considered necessary to have it on hand should an emergency require it.

Hon. David Tkachuk: Honourable senators, has the government declared a state of emergency?

Senator Carstairs: No. As the honourable senator well knows, the government has not declared a state of emergency. A

state of emergency would, unfortunately, have to be called if a great many Canadians were exposed to anthrax. I do not think we want to wait until a number of Canadians have been exposed to anthrax to have the drug of choice on hand in adequate supply.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I completely agree with the minister, but Canadians want to be satisfied that whatever drug they get, whether from the originator or the copycat, is safe. Can the minister tell us when Health Canada started testing the generic drug?

Senator Carstairs: As the honourable senator probably knows, I cannot give him an exact date. However, I can assure him that not only the tests that have been done to date in this country but tests which have been done in other food and drug administrations have been carefully analyzed by the Government of Canada. It has been determined that this is a safe drug.

Senator Lynch-Staunton: That is not a satisfactory answer at all because many times the Government of Canada refuses to accept FDA tests. It sounds as if the government panicked a little and said, “We have to satisfy Canadians that we have enough drugs on the shelf, so let’s get to where we can claim that we have the equivalent.” There is no proof that this equivalent has been submitted to the rigid testing that Health Canada always gives to products before they are allowed to be marketed.

Senator Carstairs: With the greatest of respect to the Leader of the Opposition in the Senate, the government is trying to avoid panic — not create it, but avoid it.

Senator Lynch-Staunton: The government is breaking the law.

Senator Carstairs: We are not talking about a disease such as bronchitis that can be cured with proper medical treatment and proper drugs. We are talking about a life-threatening disease. A life-threatening disease requires all the up-to-date treatment that is currently available.

Senator Lynch-Staunton: This drug has not been approved.

Senator Carstairs: Do you want it approved after they are dead?

Senator Lynch-Staunton: That is not the point. You might kill them if you give them the wrong thing.

Senator Kinsella: On the one hand, honourable senators, these are health issues that must be studied. The other issue is that the minister said there is an emergency, and, therefore, patent laws can be broken.

Is it not true, minister, that the 1993 Patent Act regarding drugs provides that the patent on a drug can be overridden if the drug is to be used in response to a declared emergency? There can be a derogation from that obligation.

The question I have is similar to that of Senator Tkachuk. Pursuant to the provisions of the 1993 Patent Act regarding drugs, what conditions is the government relying upon to determine that an emergency exists, and has an emergency been declared or testified to within the meaning of the Patent Act?

Senator Carstairs: If the senator listens to his own question, he will have his own answer. These pills will not be distributed until such time as there is an emergency.

Senator Lynch-Staunton: They are being bought.

Senator Carstairs: It does not mean they are being distributed; it does not mean they are being used. Is my honourable friend suggesting that we wait until we have an emergency and then break the patent law and then order the drug manufacturer to produce the drugs? Or is he suggesting that we should have the drugs now, exercise the emergency when the emergency occurs, and be immediately able to offer treatment?

Senator Lynch-Staunton: You have already broken the law.

Senator Kinsella: Honourable senators, it speaks volumes that senators on the other side are applauding with great clarity a statement that was made by the minister when the issue, to which the minister has not responded, is this: What authority does the government have to purchase 900,000 pills that are under a patent? The government is breaking the patent. It is illegal. The government is breaking the law. If there is a provision in the law to derogate from the law, I am asking the government, through its minister here, to tell us what is the law that permits it to break the law.

Senator Carstairs: The honourable senator himself indicated the section of the Patent Act that allows an emergency to be invoked —

Senator Lynch-Staunton: You said there was no emergency.

Senator Carstairs: — and then allows the Patent Act to be overridden.

Senator Lynch-Staunton: You said there was no emergency.

Senator Carstairs: I am suggesting to honourable senators across the way to use a little bit of common sense. A little bit of common sense would indicate that we want to have the drugs on hand. If there is an emergency —

Senator Lynch-Staunton: The drugs have not been tested.

Senator Carstairs: — then the emergency can be declared and the drugs can be distributed immediately. If no emergency is called, the drugs will not be used. There will be no patent violation.

NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS—PURCHASE OF EH-101 CORMORANT HELICOPTERS

Hon. Michael A. Meighen: Honourable senators, perhaps I can turn to another area of government obfuscation.

Can the minister confirm information I have received that at least two new EH-101 search and rescue helicopters have now reached their base in Comox?

Hon. John Lynch-Staunton (Leader of the Opposition): Quietly.

Senator Meighen: That is my question. Why is there no publicity or no announcement in the face of this long-awaited good news?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I can confirm that the two helicopters have arrived. They are a series of a group of aircraft that were ordered some time ago.

Some Hon. Senators: Hear, hear!

Senator Carstairs: These aircraft will provide up-to-date search and rescue activities in this great country of ours. I would suggest that the great fanfare was made the day it was announced that they would be purchased.

• (1410)

Senator Meighen: As I recall, some people did not like that fanfare very much.

Be that as it may, honourable senators, perhaps the minister could also help me with one aspect of this matter. My information is that five of the EH-101 Cormorants have been sitting in Italy, ready for delivery since February or March of this year. If that is so, why has the government not taken delivery? What is the government waiting for in order to do so? Perhaps it is to assign some of these new helicopters to one or more of the frigates that left Halifax yesterday in the place of our aging and unreliable Sea Kings.

Senator Carstairs: First, I must say to the honourable senator that he is talking apples and oranges. The Cormorants that are being brought over here for search and rescue have been equipped with search and rescue capabilities and not the wartime capabilities for which Sea Kings have been equipped. It would not be possible with the present equipment of the Cormorants delivered to put them on the frigates that are going into the Persian Gulf.

In terms of the ones that are sitting in Italy, it is my understanding that they are still undergoing testing. When that testing is completed, they will be delivered.

Senator Meighen: I wish to thank the minister for that answer. I agree with the Leader of the Government that the equipment is different. However, there might well be a search and rescue mission to be effected in the Gulf with respect to our personnel serving there.

Senator Carstairs: With respect, Honourable Senator Meighen, the Sea King has not only a search and rescue but also a military usage, unlike the present Cormorants that have been ordered.

Senator Lynch-Staunton: Who will rescue the Sea Kings?

HEALTH

SAFETY OF LIVESTOCK ANTIBIOTICS

Hon. Mira Spivak: Honourable senators, for quite some time Canadians have been assured that the antibiotics that are fed to animals to prevent them from disease, in particular, to livestock, are safe because they dissipate before the meat is being consumed. A new study, which was reported today on the front page of the *National Post*, disputes that and says that the health of millions of people and the lives of thousands can be at risk. They suggest that the antibiotics used in beef should be banned immediately. That is what one of the doctors at Tufts University, in the school of medicine in Boston, said. This study was published in the *New England Journal of Medicine*, which, as all honourable senators know, is a prestigious publication.

Will this alert the government, through the honourable leader, to review the policy of feeding antibiotics to beef cattle and other livestock?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for her question. She is correct. This study has certainly brought to light new information. It is a prestigious journal. I do not think the Department of Agriculture and/or Health Canada requires me to bring it to their attention but I will do so anyway, on behalf of the honourable senator.

Senator Spivak: Honourable senators, it might be interesting to look to see what the links are with regard to water. There is some suggestion that around hog operations, drug-resistant bacteria created by feeding antibiotics to livestock are also contaminating the water. This is a serious question and I would be grateful for the minister's assistance.

Senator Carstairs: The Honourable Senator Spivak is correct. There is a great deal of legitimate concern, particularly in our home province, about the runoff from hog operations in that province. If it can be shown that antibiotic residue that has been fed to these animals is also showing up in the water, it would be a critical issue. Thus, I will add that matter to my ongoing inquiry to the minister.

ORDERS OF THE DAY

THE SENATE

COMMITTEE OF THE WHOLE—REPLACEMENT OF SEA KING HELICOPTERS—APPEARANCE OF OFFICIALS ON PROCUREMENT PROCESS—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Finestone, P.C.:

That at 3:00 p.m. on Thursday, October 4, 2001, the Senate resolve itself into a Committee of the Whole in order to receive officials from the Department of National Defence and the Department of Public Works and Government Services for a briefing on the procurement process for maritime helicopters.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I rise today to discuss the Committee of the Whole that will look at the procurement process for the new fleet of Maritime helicopters, which is particularly appropriate in light of Senator Meighen's questions earlier today.

On May 31 of this year, at page 987 of the *Debates of the Senate*, the Leader of the Opposition asked the following:

Would the Leader of the Government consider holding a briefing in the chamber, going into Committee of the Whole, to hear an explanation of how this whole process is being designed and where it is expected to lead?

He went on to say:

Perhaps if we had a full briefing here or elsewhere...with the personnel who can answer our questions, we could come to a positive conclusion shared by both sides.

The government was pleased to accommodate the honourable senator's request for a briefing on the procurement process to take place in the Committee of the Whole and I announced that agreement when the Senate sat on June 5. As Senator Robichaud indicated on September 25, we fully intend to have a Committee of the Whole as soon as the government and opposition leadership can agree on a date. We offered to proceed with a briefing on October 4, which is the date in the original motion, but that date did not meet with the agreement of the opposition.

MOTION IN AMENDMENT

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I wish to inform you that the leadership on both sides have agreed to a date, namely, Tuesday, October 30, 2001. Therefore, in amendment, I move:

That the motion be amended by striking out the words “Thursday, October 4, 2001” and replacing them with the following:

Tuesday, October 30, 2001.

On motion of Senator Lynch-Staunton, debate adjourned.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

SIXTH REPORT OF COMMITTEE ADOPTED AS AMENDED

The Senate proceeded to consideration of the sixth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (formerly Standing Committee on Privileges, Standing Rules and Orders) (study of the structure of Senate Committees—extension of reporting date) presented in the Senate on October 4, 2001.—(*Honourable Senator Austin, P.C.*)

Hon. Jack Austin moved the adoption of this report.

He said: Honourable senators, the Standing Committee on Rules, Procedures and the Rights of Parliament has been working diligently to discharge the mandate given by this house to deal with the organization and operation of committees. During the summer recess, we took two full days to consider a number of items that were raised by colleagues in the committee.

• (1420)

I recently had a discussion with the deputy chair, Senator Stratton, about the number of meetings we would have to hold in order to meet the October 31 deadline given to the committee for its report. We have agreed that additional time would be valuable to the committee, in particular because of the heavy agenda involving other items that are now before this house and the need for the opposition side to be able to fully participate.

MOTION IN AMENDMENT

Hon. Jack Austin: While the work of this committee is important, in my view even urgent, it is not time-critical. Therefore, with leave, in amendment, I move:

That the words “Friday, February 15, 2002” in the report before us be deleted and the following substituted therefor: “Friday, March 29, 2002.”

The Hon. the Speaker pro tempore: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the motion in amendment?

Hon. Senators: Agreed.

Motion in amendment adopted.

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the report as amended?

Hon. Senators: Agreed.

Report adopted as amended.

DEFENCE AND SECURITY

BUDGET—REPORT OF COMMITTEE—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Kenny, seconded by the Honourable Senator Moore, for the adoption of the second report of the Standing Senate Committee on Defence and Security (budget—release of additional funds) presented in the Senate on September 25, 2001.—(*Honourable Senator Stratton*).

Hon. Colin Kenny: Honourable senators, may I have leave to ask a question of Senator Stratton?

The Hon. the Speaker pro tempore: Is leave granted for Senator Kenny to ask a question of Senator Stratton?

Hon. Senators: Agreed.

Senator Kenny: Honourable senators, this item has been on the Order Paper for many days. Would Senator Stratton tell us if he is waiting for someone else to speak to it and, if not, why it is being held up?

Hon. Terry Stratton: Honourable senators, I think Senator Kenny understands the situation. It is simply that there is concern on both sides of the chamber about the undue expense of \$95,000 to define the role and function of the committee. As a result, the matter on the change in name is being delayed until that issue is resolved.

The real issue is that we are asking the committee for a work plan to be carried out here in Ottawa, what it will be doing and what its mandate will be, prior to authorizing expenditures for travel. Both issues are tied together.

Senator Kenny: Honourable senators, my question is: Does the honourable senator have any other speakers for whom he is holding up this order?

Senator Stratton: Yes, we will.

Senator Kenny: Could the honourable senator advise us as to who are those speakers, please?

Senator Stratton: Not as yet, no.

Order stands.

HUMAN RIGHTS

[Translation]

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT

Hon. A. Raynell Andreychuk, pursuant to notice of October 17, 2001, moved:

That the date for the presentation by the Standing Senate Committee on Human Rights of the final report on its study into issues relating to human rights, and, *inter alia*, the machinery of government dealing with Canada's international and national human rights obligations, which was authorized by the Senate on May 10, 2001, be extended to Friday, December 21, 2001; and

That the Committee be permitted, notwithstanding the usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Chamber.

Motion agreed to.

ADJOURNMENT

Leave having been given to revert to Notices of Motions:

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That, when the Senate adjourns today, it do stand adjourned until Tuesday next, October 23, 2001, at 2 p.m.

The Hon. the Speaker *pro tempore*: Is leave granted, honourable senators?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, October 23, 2001, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(1st Session, 37th Parliament)
Thursday, October 18, 2001

GOVERNMENT BILLS
(SENATE)

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-2	An Act respecting marine liability, and to validate certain by-laws and regulations	01/01/31	01/01/31	—	—	—	01/01/31	01/05/10	6/01
S-3	An Act to amend the Motor Vehicle Transport Act, 1987 and to make consequential amendments to other Acts	01/01/31	01/02/07	Transport and Communications	01/05/03 amended 01/05/09	3	01/05/10	01/06/14	13/01
S-4	A First Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law	01/01/31	01/02/07	Legal and Constitutional Affairs	01/03/29	0 + 1 at 3rd	01/04/26	01/05/10	4/01
S-5	An Act to amend the Blue Water Bridge Authority Act	01/01/31	01/02/07	Transport and Communications	01/03/01	0	01/03/12	01/05/10	3/01
S-11	An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts in consequence	01/02/06	01/02/21	Banking, Trade and Commerce	01/04/05	17 + 1 at 3rd	01/05/02 Senate agreed to Commons amendments 01/06/12	01/06/14	14/01
S-16	An Act to amend the Proceeds of Crime (Money Laundering) Act	01/02/20	01/03/01	Banking, Trade and Commerce	01/03/22	0	01/04/04	01/06/14	12/01
S-17	An Act to amend the Patent Act	01/02/20	01/03/12	Banking, Trade and Commerce	01/04/05	0	01/05/01	01/06/14	10/01
S-23	An Act to amend the Customs Act and to make related amendments to other Acts	01/03/22	01/05/03	National Finance	01/05/17	11 + 2 at 3rd (01/06/06)	01/06/07		
S-24	An Act to implement an agreement between the Mohawks of Kanesatake and Her Majesty in right of Canada respecting governance of certain lands by the Mohawks of Kanesatake and to amend an Act in consequence	01/03/27	01/04/05	Aboriginal Peoples	01/05/10	0	01/05/15	01/06/14	8/01
S-31	An Act to implement agreements, conventions and protocols concluded between Canada and Slovenia, Ecuador, Venezuela, Peru, Senegal, the Czech Republic, the Slovak Republic and Germany for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	01/09/19	01/10/17	Banking, Trade and Commerce					

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-33	An Act to amend the Carriage by Air Act	01/09/25	01/10/16	Transport and Communications					
S-34	An Act respecting royal assent to bills passed by the Houses of Parliament	01/10/02	01/10/04	Rules, Procedures and the Rights of Parliament					

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
C-2	An Act to amend the Employment Insurance Act and the Employment Insurance (Fishing) Regulations	01/04/05	01/04/24	Social Affairs, Science and Technology	01/05/03	0	01/05/09	01/05/10	5/01
C-3	An Act to amend the Eldorado Nuclear Limited Reorganization and Divestiture Act and the Petro-Canada Public Participation Act	01/05/02	01/05/10	Energy, the Environment and Natural Resources	01/06/06	0	01/06/12	01/06/14	18/01
C-4	An Act to establish a foundation to fund sustainable development technology	01/04/24	01/05/02	Energy, the Environment and Natural Resources	01/06/06	0	01/06/14	01/06/14	23/01
C-6	An Act to amend the International Boundary Waters Treaty Act	01/10/03							
C-7	An Act in respect of criminal justice for young persons and to amend and repeal other Acts	01/05/30	01/09/25	Legal and Constitutional Affairs					
C-8	An Act to establish the Financial Consumer Agency of Canada and to amend certain Acts in relation to financial institutions	01/04/03	01/04/25	Banking, Trade and Commerce	01/05/31	0	01/06/06	01/06/14	9/01
C-9	An Act to amend the Canada Elections Act and the Electoral Boundaries Readjustment Act	01/05/02	01/05/09	Legal and Constitutional Affairs	01/06/07	0	01/06/13	01/06/14	21/01
C-11	An Act respecting immigration to Canada and the granting of refugee protection to persons who are displaced, persecuted or in danger	01/06/14	01/09/27	Social Affairs, Science and Technology					
C-12	An Act to amend the Judges Act and to amend another Act in consequence	01/04/24	01/05/09	Legal and Constitutional Affairs	01/05/17	0	01/05/29	01/06/14	7/01
C-13	An Act to amend the Excise Tax Act	01/04/24	01/05/01	Banking, Trade and Commerce	01/06/07	0	01/06/12	01/06/14	15/01
C-14	An Act respecting shipping and navigation and to amend the Shipping Conferences Exemption Act, 1987 and other Acts	01/05/15	01/05/30	Transport and Communications	01/10/18	0			
C-17	An Act to amend the Budget Implementation Act, 1997 and the Financial Administration Act	01/05/15	01/05/30	National Finance	01/06/07	0	01/06/11	01/06/14	11/01
C-18	An Act to amend the Federal-Provincial Fiscal Arrangements Act	01/05/09	01/05/31	National Finance	01/06/12	0	01/06/12	01/06/14	19/01
C-20	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2001	01/03/21	01/03/27	—	—	—	01/03/28	01/03/30	1/01
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2002	01/03/21	01/03/27	—	—	—	01/03/28	01/03/30	2/01

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
C-22	An Act to amend the Income Tax Act, the Income Tax Application Rules, certain Acts related to the Income Tax Act, the Canada Pension Plan, the Customs Act, the Excise Tax Act, the Modernization of Benefits and Obligations Act and another Act related to the Excise Tax Act	01/05/15	01/05/30	Banking, Trade and Commerce	01/06/07	0	01/06/12	01/06/14	17/01
C-24	An Act to amend the Criminal Code (organized crime and law enforcement) and to make consequential amendments to other Acts	01/06/14	01/09/26	Legal and Constitutional Affairs					
C-25	An Act to amend the Farm Credit Corporation Act and to make consequential amendments to other Acts	01/06/12	01/06/12	Agriculture and Forestry	01/06/13	0	01/06/14	01/06/14	22/01
C-26	An Act to amend the Customs Act, the Customs Tariff, the Excise Act, the Excise Tax Act and the Income Tax Act in respect of tobacco	01/05/15	01/05/17	Banking, Trade and Commerce	01/06/07	0	01/06/12	01/06/14	16/01
C-28	An Act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act	01/06/11	01/06/12	—	—	—	01/06/13	01/06/14	20/01
C-29	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2002	01/06/13	01/06/14	—	—	—	01/06/14	01/06/14	24/01

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-6	An Act to assist in the prevention of wrongdoing in the Public Service by establishing a framework for education on ethical practices in the workplace, for dealing with allegations of wrongdoing and for protecting whistleblowers (Sen. Kinsella)	01/01/31	01/01/31	National Finance	01/03/28	5			
S-7	An Act to amend the Broadcasting Act (Sen. Finestone, P.C.)	01/01/31	01/02/07	Transport and Communications	01/06/05	0	01/06/07		
S-8	An Act to maintain the principles relating to the role of the Senate as established by the Constitution of Canada (Sen. Joyal, P.C.)	01/01/31	01/05/09	Rules, Procedures and the Rights of Parliament					
S-9	An Act to remove certain doubts regarding the meaning of marriage (Sen. Cools)	01/01/31							
S-10	An Act to amend the Parliament of Canada Act (Parliamentary Poet Laureate) (Sen. Grafstein)	01/01/31	01/02/08	—	—	—	01/02/08		
S-12	An Act to amend the Statistics Act and the National Archives of Canada Act (census records) (Sen. Milne)	01/02/07	01/03/27	Social Affairs, Science and Technology					

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-13	An Act respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament (Sen. Lynch-Staunton)	01/02/07	01/05/02	Rules, Procedures and the Rights of Parliament (Committee discharged from consideration—Bill withdrawn 01/10/02)					
S-14	An Act respecting Sir John A. Macdonald Day and Sir Wilfrid Laurier Day (Sen. Lynch-Staunton)	01/02/07	01/02/20	Social Affairs, Science and Technology	01/04/26	0	01/05/01		
S-15	An Act to enable and assist the Canadian tobacco industry in attaining its objective of preventing the use of tobacco products by young persons in Canada (Sen. Kenny)	01/02/07	01/03/01	Energy, the Environment and Natural Resources	01/05/10	0	01/05/15	<i>Bill withdrawn pursuant to Commons Speaker's Ruling 01/06/12</i>	
S-18	An Act to Amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	01/02/20	01/04/24	Social Affairs, Science and Technology (withdrawn) 01/05/10 Energy, the Environment and Natural Resources					
S-19	An Act to amend the Canada Transportation Act (Sen. Kirby)	01/02/21	01/05/17	Transport and Communications					
S-20	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	01/03/12							
S-21	An Act to guarantee the human right to privacy (Sen. Finestone, P.C.)	01/03/13		Subject-matter 01/04/26 Social Affairs, Science and Technology					
S-22	An Act to provide for the recognition of the <i>Canadien</i> Horse as the national horse of Canada (Sen. Murray, P.C.)	01/03/21	01/06/11	Agriculture and Forestry					
S-26	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	01/05/02	01/06/05	Transport and Communications					
S-29	An Act to amend the Broadcasting Act (review of decisions) (Sen. Gauthier)	01/06/11							
S-30	An Act to amend the Canada Corporations Act (corporations sole) (Sen. Atkins)	01/06/12							
S-32	An Act to amend the Official Languages Act (fostering of English and French) (Sen. Gauthier)	01/09/19							

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-25	An Act to amend the Act of incorporation of the Conference of Mennonites in Canada (Sen. Kroft)	01/03/29	01/04/04	Legal and Constitutional Affairs	01/04/26	1	01/05/02	01/06/14	
S-27	An Act to authorize The Imperial Life Assurance Company of Canada to apply to be continued as a company under the laws of the Province of Quebec (Sen. Joyal, P.C.)	01/05/17	01/05/29	Legal and Constitutional Affairs	01/05/31	0	01/05/31	01/06/14	
S-28	An Act to authorize Certas Direct Insurance Company to apply to be continued as a company under the laws of the Province of Quebec (Sen. Joyal, P.C.)	01/05/17	01/05/29	Legal and Constitutional Affairs	01/05/31	0	01/05/31	01/06/14	

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