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OFFICIAL REPORT (HANSARD)

Thursday, November 1, 2001

THE HONOURABLE DAN HAYS SPEAKER

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

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

OFFICIAL REPORT

CORRECTION

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I have a correction that I would like to make to page 1572 of the *Debates of the Senate*, where the number 80,000 appears. It should in fact read 8,700.

The Hon. the Speaker: Honourable senators, is leave granted to make this correction to the record?

Hon. Senators: Agreed.

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THE SENATE

Thursday, November 1, 2001

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

Prayers.

SENATORS' STATEMENTS

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw to your attention the presence in the gallery of Gunnar Johan Stalsett, Bishop of Oslo and Deputy Chairman of the Norwegian Nobel Committee. He is a guest of Senator Wilson.

On behalf of all senators, I welcome you to the Senate of Canada.

IMMIGRATION AND REFUGEE PROTECTION BILL

EXPLANATION OF SUPPORT

Hon. Mobina S. B. Jaffer: Honourable senators, yesterday the chamber passed Bill C-11, the act respecting immigration to Canada. Some senators may have wondered why I would rise to support this bill.

Honourable senators, my greatest fear is that Canadians will lose faith in the security of their immigration system, say that "enough is enough" and close the doors that have stood open to people like me and my family, offering hope and refuge for so long. If Canada's doors had been closed to my family, we may not have survived.

Honourable senators, since being sworn in just over a month ago, I have been greeted warmly by all of you. My arrival here, however, has also come on the heels of the terrible events of September 11. I have heard my fellow Canadians and my colleagues in this chamber say that now is the time to question the way we do things. I have heard them say that a new era of security is upon us. I have heard refugees unfairly judged as beggars, thieves and terrorists. The horrid events of September 11 have nothing to do with our Canadian Immigration and Refugee Board policy.

Honourable senators, my family and I did not choose to leave my home country of Uganda and come here with nothing. When I came to Canada with nothing but my newborn baby in my arms and a husband who had escaped detention by the Ugandan army, it was not because I chose to do so. [Translation]

We do not choose to become refugees. It was not my choice.

[English]

We did not chose to leave our dreams and aspirations behind in Uganda — Idi Amin did. We did not choose to leave our home — Idi Amin did. We did not choose to become refugees — Idi Amin did. All of these choices were made for us and thrust upon us. I will continue with this at another time.

Honourable senators, the next time we speak of refugees in this chamber or elsewhere, we will remember that those who get themselves into trouble with the law and threaten our security are a minority. Perhaps we can remember that most refugees are hard-working people who seek nothing more than to rebuild their lives and our country, Canada. I hope we can remember the importance of that distinction.

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

THE ESTIMATES, 2001-02

SUPPLEMENTARY ESTIMATES (A) TABLED

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled Supplementary Estimates (A) for the fiscal year ending March 31, 2002.

[English]

BUSINESS OF THE SENATE

Hon. Joyce Fairbairn: Honourable senators, I wish to advise the Senate that later this day, I intend to ask for leave to revert to Presentation of Reports from Standing or Special Committees to enable me to table the first report of the Special Senate Committee on the Subject-Matter of Bill C-36, the Anti-terrorism Act. The committee and myself did not want to table the report until copies were available for all senators, as will be the case, hopefully, in a short period of time.

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

Hon. Senators: Agreed.

[Translation]

THE ESTIMATES, 2001-02

NOTICE OF MOTION TO REFER SUPPLEMENTARY ESTIMATES (A) TO NATIONAL FINANCE COMMITTEE

Hon. Fernand Robichaud (Deputy Leader of the Government: Honourable senators, I give notice that on Tuesday next, November 6, 2001, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) for the fiscal year ending March 31, 2002.

[English]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO REVIEW REFERENDUM REGULATION PROPOSED BY CHIEF ELECTORAL OFFICER

Hon. Lorna Milne: Honourable senators, I give notice that on Tuesday, November 6, 2001, I shall move:

That the Standing Senate Committee on Legal and Constitutional Affairs be empowered to review the regulation proposed by the Chief Electoral Officer tabled in the Senate on October 16, 2001, and that the committee report to the Senate no later than November 29, 2001.

• (1340)

ENDING CYCLE OF VIOLENCE IN MIDDLE EAST

INQUIRY

Hon. Pierre De Bané: Honourable senators, I give notice that on Wednesday next, November 7, 2001, I will call the attention of the Senate to my recommendation for ending the atrocious cycle of violence raging now in the Middle East.

QUESTION PERIOD

FINANCE

DEVALUATION OF DOLLAR

Hon. Terry Stratton: Honourable senators, my question is addressed to the Leader of the Government in the Senate. Of course, the headline in today's newspaper, and particularly in the last few days, is about our falling dollar. From a post-September 11 peak of 69.19 cents against the U.S. greenback on October 15, the Canadian dollar fell to a record

close of 62.94 yesterday and was trading at 62.75 when markets opened this morning. It has never been as low. The immediate trigger for the most recent drop is bad economic news in the United States, but the fact remains that our dollar has lost four cents since early February, when it traded at 66.95 cents.

The question in the minds of Canadians when the dollar hits a record low is what is the government policy with respect to the falling dollar? Will we continue to watch the dollar fall as the economy falls? Is it an attempt by the government to tie itself into a move to the U.S. dollar? Just what is going on?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the policy that has existed for a considerable length of time in Canada is one of a floating currency, a currency determined by market values. That does not and has not changed, as I indicated, for a very long period of time. We know that there are advantages and disadvantages. The honourable senator knows that well.

This afternoon, however, I should like to point out that in relation to other significant currencies our dollar has fallen far less. For example, if one considers the Japanese yen it has fallen by 6.55 per cent in the past year; the Swedish krona has fallen by 11.37 per cent; the Australian dollar has fallen by 9.86 per cent; and the Canadian dollar has fallen by 5.59 per cent. That is a significant drop but with respect to other world currencies we are still doing very well.

Senator Stratton: Honourable senators, I appreciate that very much. The concern I have, however, is long term. The concern has to be long term. We know that a low dollar helps our exports in the near term. However, it puts our productivity in the toilet. It makes us second rate because we do not have to be competitive. We rely on a low dollar to sell and export our goods elsewhere. That is the critical issue and the government is ignoring that issue at its peril.

If the dollar ever turns around, and hopefully one day it will, how does the Leader of the Government in the Senate expect businesses to adapt and be competitive in the future — and I am talking the long-term future?

Senator Carstairs: Honourable senators, it is clear that Canadian products are competitive on the world market and have been competitive for a very long time. The reality is that many currencies have been taking a hit. For example, since January of 2000, the United Kingdom pound has dropped 11 per cent in relative terms to the American dollar. The American dollar is very strong. The rest of us are in a situation in which we are competing with the American dollar. Honourable senators, the Canadian economy in other respects is not only performing well, but is outperforming the United States.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, the government's argument seems to be that since our currency is not falling against the U.S. dollar as fast as other currencies we are doing well. That is a specious argument. How far will the government let the Canadian dollar fall before it starts giving the dollar some support?

Senator Carstairs: Honourable senators, to support the Canadian dollar would probably require significant increases in interest rates in this country. I, for one, do not think that is the way to go.

Senator Lynch-Staunton: The answer, then, is that we will let the dollar fall to a value that can be equated with that of certain Third World countries, which means one in which the rest of the world has no confidence.

Senator Carstairs: With the greatest of respect, honourable senators, the value of the dollars of Third World countries bear no relationship to the strength of the Canadian dollar.

Senator Lynch-Staunton: The Canadian dollar has no strength. It has fallen to a historical low. The government does not seem to appreciate that. The government says that it will help our exports, that the Canadian economy is sound, that it is all relative. The strength of the currency of a country is an indication of the strength of that country itself. The weaker our dollar gets, the weaker the perception of our economy. If the government cannot get that one straight then all I can think of is that our dollar will get even weaker.

Senator Carstairs: Honourable senators, with the greatest respect to the Leader of the Opposition, our currency does not work in a global marketplace all by itself. It exists along with the value of currencies in many other countries. If the honourable senator thinks our economy is down the toilet, and I significantly disagree because it is not the fact, then what does he have to say about the Australian currency? What does he have to say about the euro, the yen or the UK pound? Are all those economies in the toilet, too?

Hon. Pat Carney: Honourable senators, my question is supplementary to Senator Stratton's. The honourable senator has pointed out that the low Canadian dollar is good for Canadian exports because it assists them through the lower value of the dollar. That is one side of the currency coin. The other side of the currency coin is that a lower dollar substantially increases the cost of our imports from the United States, and those imports are a major component of Canada's manufacturing industry, particularly in Central Canada. Therefore, the policy that is being followed with regard to the lower dollar is highly inflationary in the time of a stagnant economy.

• (1350)

Would the Leader of the Government in the Senate explain why the government would follow this policy that is increasing the cost of our imports, which increases the cost to Canadian manufacturers, which increases the cost to Canadian consumers and is highly inflationary in a stagnant economy?

Senator Carstairs: Honourable senators, Senator Carney is correct when she says that such a policy reduces the ability of Canadians to purchase American products at the prices that they were purchasing those products for earlier. The policy helps our exports and hurts our imports; there is no question about that. One should look at our balance of trade. We are an exporting

nation more so than an importing one. As to the honourable senator's comment about inflation, inflation is very low in Canada at present. This has not caused what the honourable senator has referred to as "the spectre of massive inflationary pressures." Those pressures are not there.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, the field of high finance is another field in which I do not have great understanding. Let me put my question to the Leader of the Government in the Senate this way: With the fall of the Canadian dollar, will it not cost us more to buy oranges and other citrus fruits this winter in Canada?

Senator Carstairs: Honourable senators, I believe I answered that question when I responded that Senator Carney was absolutely correct in that our imports will cost more, our exports will cost less, and that will be beneficial. If we are importing oranges, those oranges will be more expensive as a result of a lower dollar. That, Senator Kinsella, is pretty elementary. I must tell the honourable senator that most of my high school students would have known the answer to that question.

Senator Stratton: Honourable senators, the interesting parallel to what is happening with the Canadian dollar is the conjecture about the U.S. dollar. Europe has gone to a common currency in the push on North America to go to a common currency as well, meaning Mexico, the United States and Canada, except that we would not have a continental North American currency, we would have the U.S. dollar as our currency.

Sherry Cooper, the Chief Economist for Nesbitt Burns said today that our falling dollar is pushing us more and more toward adopting the U.S. dollar. Is the government convinced that inevitably we will be pushed into adopting the U.S. dollar, or will the government stand as a stalwart of sovereignty and say, "We will have a Canadian dollar even if it is 25 cents or 50 cents"?

Senator Carstairs: Let me begin with the preamble to the honourable senator's supplementary question. The Europeans have gone to a common currency. I believe the honourable senator says that perhaps that is something we in Canada should be considering.

To set the record straight, the euro currency is doing far worse than the Canadian currency. I would not make that recommendation to go to a common currency. The Minister of Finance has been clear and the Canadian people have been clear; they do not want a common currency with the United States.

Senator Stratton: I understand that may be the case at present. However, if our dollar continues to fall, the economic reality is that we may not have a choice. That concern I think is starting to grow in the minds of Canadians.

Senator Carstairs: Honourable senators, that concern may be growing in the mind of Senator Stratton; it is not growing in the minds of those sitting on this side of the chamber.

[Translation]

Hon. Roch Bolduc: Honourable senators, my question is for the leader of the Government in the Senate. Did the minister say that the effect of the low Canadian dollar is to raise the price of our exports? I would also like to know what types of imports are concerned.

[English]

Senator Carstairs: Honourable senators, that is an extraordinarily generous question, in the sense that I could spend the rest of Question Period listing all of the things that we could import. However, I shall not do that.

Clearly, imports from the United States, because that is the currency we have been talking about vis-à-vis how ours has fallen, will be more expensive. Whereas, for example, imports from European countries, Argentina, whose currency is in really bad shape, Brazil or Australia will be to our benefit.

[Translation]

Senator Bolduc: It must be realized that the products we import are in large part high-tech products to improve the productivity of Canadian industry. As a result, each time that happens, Canadian productivity diminishes. It is a vicious circle. The more it costs to import high-tech products, the closer we come to a system in which Canada's relative productivity drops in relation to that of the U.S. What is the government doing about this?

[English]

Senator Carstairs: Honourable senators, many of our high-tech imports come from the United States. Therefore, they would be affected by these measures. However, we also import products from the high-tech industry in Japan, and because we are actually doing better against the Japanese yen, our imports are cheaper.

INTERNATIONAL TRADE

UNITED STATES—RENEWAL OF SOFTWOOD LUMBER AGREEMENT

Hon. Pat Carney: Honourable senators, the U.S. is currently bludgeoning Canadian lumber producers by imposing an anti-dumping duty averaging about 12.57 per cent on top of a 19.3 per cent countervailing duty already in place. This is causing horrendous economic hardship. This is a \$10-billion a year industry nationally; and a \$5-billion industry in British Columbia. About 30,000 workers' jobs are being or have been affected. This duty is the direct result of the Canadian government's stand on trying to accommodate the Americans rather than negotiating with them. The Canadian government has

chosen to follow a process that has led to these duties being imposed rather than one of negotiating with the Americans.

What does the government plan to do to alleviate the pain being imposed on the provinces and the workers? How does the government propose to make the Americans pay?

• (1400)

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, as the Honourable Senator Carney is well aware, the American government has accused six Canadian companies of anti-dumping activities. The duty amounts, on average, to 12.58 per cent.

The minister responsible, the Honourable Pierre Pettigrew, has been clear. He has indicated that the duty is totally unjustified, that it is a punitive action, and that it will not only add to the difficulties of our lumber producers but will also have a severe impact in the United States on their new housing construction. As the honourable senator knows full well, there is a battle going on in the United States between the lumber-producing states and those states that do not produce lumber but that have great need for that lumber because of the construction activity taking place.

I will tell honourable senators that there is a further meeting between Minister Pettigrew and his American counterparts during the week of November 12. The government is continuing on this file with great vigour. We will continue to lay our case not only before the American government but also with respect to other international opportunities.

Senator Carney: Honourable senators, in response to the leader's answer, the Americans are following their due process. It is not understood in this country that the Americans are following a legislative process set down in the U.S. Minister Pettigrew's "jawboning" of the Americans will not work.

In exactly the same circumstances, the Conservative government imposed an export tax at the border, which kept the money in Canada and kept the mills open. I have been told that this approach is favoured by many British Columbia companies. Why will this government not keep the money in Canada and keep the mills open by imposing an export tax at the border?

Senator Carstairs: Because we believe in free trade.

Some Hon. Senators: Oh, oh!

Senator Carney: I must respond to that, honourable senators. That answer is incorrect.

Senator Lynch-Staunton: So do the Americans!

Senator Carney: That is an incorrect answer and the minister knows it. If she wants to infer that free trade results in anti-dumping duties and countervailing duties approaching nearly 40 per cent, then the minister should go back and check her briefing book.

Senator Carstairs: With the greatest of respect, Honourable Senator Carney, this issue has been before tribunals over and over again, and Canada has won every single time. It is Canada that plays by the rules.

Senator Lynch-Staunton: You just lost! You lost yesterday!

[Translation]

ROYAL ASSENT

NOTICE

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

November 1, 2001

Mr. Speaker,

I have the honour to inform you that the Honourable Jack Major, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 1st day of November, 2001, at 4:30 p.m., for the purpose of giving Royal Assent to certain hills

Yours sincerely,

Michèle Lévesque

Deputy Secretary, Policy, Program and Protocol

The Honourable The Speaker of the Senate Ottawa

[English]

ORDERS OF THE DAY

INCOME TAX CONVENTIONS IMPLEMENTATION BILL, 2001

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Poulin, seconded by the Honourable Senator Poy, for the third reading of Bill S-31, 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.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, those of us who were here at the time will recall that we had a similar bill two or three years ago in which one of the countries affected by a tax convention treaty was Uzbekistan. Some of us objected to the fact that Canada, by signing a tax convention with it would, in effect, sanction that country's policies of ignoring human rights almost completely.

This intervention did not lead to the defeat of the bill, but it did allow a good discussion in front of the Standing Senate Committee on Foreign Affairs on Canada's relations with those countries that have a human rights record with which we disagree.

It is hard to define a policy that strives to balance trade and human rights, but it cannot be too hard to realize that certain countries have a human rights record such that we should not be dealing with them or that our dealings with them should be extremely limited.

As honourable senators know, the Uzbeks have suddenly become our allies in the war against terrorism. Despite this, I want to reinforce my point by going away from the bill itself for a moment. An article in the *New York Times* of two days ago states that in the short term, the Americans are concerned that cooperation with Uzbekistan lends legitimacy to the republic's restrictions on faith as well as a judicial system that tries people in secret and security forces that torture suspects and maintain inhumane jails.

The point at the time was: What is Canada doing negotiating a tax convention with a country with such an appalling record and one in which we have practically no investments whatsoever?

At that time, we asked the officials of the Foreign Affairs Department who appeared before the Foreign Affairs Committee that the next time a similar tax convention bill comes before us to give us a précis on the human rights record of the countries involved. Sadly, this has not been done. What we received was a briefing book extolling all the countries with which we are to ratify these conventions.

I will mention one country with which we have a tax convention, and that is Senegal. I will quote from the briefing book on human rights, which states:

One of the African countries where human rights are best protected, Senegal is a signatory to most international conventions on human rights. Civil and political rights are widely respected...Many NGOs operate in the country, carrying out their work unhindered.

The fact is that the briefing book was extraordinarily misleading. If one refers to Amnesty International, it claims security forces in the area called Casamance were responsible for several cases of extrajudicial executions, disappearances and torture. The U.S. State Department reported that the government rarely tries or punishes members of the military, gendarmerie or police for human rights abuses.

Despite the reassurance in our briefing books regarding NGOs, Amnesty International asserts that there was serious concern about the conditions in which people were detained in Holda, as no human rights organization was allowed access to them despite repeated requests.

I know that I will not get far with this matter, but I wish to make the point that in its extraordinary support of human rights in its own country and elsewhere, Canada should be careful to be consistent with itself in making treaties and conventions with countries that have appalling human rights records. We simply cannot justify the principles that we support with the actions that we are asked to take.

• (1410)

I would have preferred that this bill go to the Standing Senate Committee on Foreign Affairs or to the Standing Senate Committee on Human Rights for a proper appreciation of the implications to Canada of negotiating with certain countries of whose policies, records and actions we completely disapprove.

That is the point I have tried to make. If another bill along the same lines comes before us again, I will try to make the same point again, hopefully with more impact.

The Hon. the Speaker: Is the house ready for the question?

Hon. Senators: Question.

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

Motion agreed to and bill read third time and passed.

[Translation]

TRANSPORTATION APPEAL TRIBUNAL OF CANADA BILL

SECOND READING—DEBATE ADJOURNED

Hon. Aurélien Gill moved that Bill C-34, to establish the Transportation Appeal Tribunal of Canada and to make consequential amendments to other Acts, be read the second time

He said: Honourable senators, it is with great pleasure that I rise today to support Bill C-34, to establish the Transportation Appeal Tribunal of Canada and to make consequential amendments to other Acts. This bill was studied by the Standing Committee on Transport and Government Operations in the other place and was passed at third reading on October 26, 2001.

I was delighted at the favourable welcome given this bill by all parties in the other place. This shows that all parties can work together for the good of Canadians, recognizing that this initiative is a good idea that makes sense for enforcement.

One of the government's main commitments is to rethink the role of government. In the transportation sector, this means modernizing federal legislation on transport and reviewing the ways the government administers and applies our laws in the interest of Canadians. For the transportation network to be as safe and secure as it can be, the officials of Transport Canada must have a broad range of effective and efficient powers in order to apply the regulations.

When a serious statutory infraction occurs in matters of safety and security, the government has criminal proceedings and sanctions at its disposal. It will continue to deal with this type of offence by exercising its enforcement powers and applying criminal sanctions. However, in accordance with a number of laws on transportation, the department must apply these same criminal proceedings in criminal court to minor regulatory infractions.

Criminal proceedings can be very costly and, in some cases, drag on for years. In most cases, infractions against the various federal statutes on transportation is not a criminal matter. There is a substantial difference between a minor infraction and the criminal sanction that can be imposed. For these two reasons, the practice is increasingly to decriminalize federal legislation on transportation and use administrative enforcement measures rather than criminal proceedings, except for the most serious infractions.

The department may take various types of administrative measures, including measures relating to the delivery of licences, compliance transactions, the imposition of monetary penalties, and the issuance of orders relating to railway safety.

The need to provide the department with various administrative powers creates a requirement to provide people and businesses affected by these administrative measures with recourse to an independent body that can review how Transport Canada uses its enforcement powers. In the aviation industry, that body is the Civil Aviation Tribunal. No such tribunal exists for the marine and railway industries. The review processes, where they exist under marine and railway laws, are usually conducted within the department.

The purpose of Bill C-34 and of establishing the Transportation Appeal Tribunal of Canada is to provide to the marine and railway industries the same actual rights of recourse for administrative measures as those currently provided to the aviation industry by the Civil Aviation Tribunal.

The Civil Aviation Tribunal has been serving the aviation industry and the department really well for over 15 years. The tribunal is a small but effective body. In a typical year, it holds about 100 hearings and hears another 100 or so cases that are settled without going through the whole hearing process. It has only two full-time members — the chairperson and the vice-chairperson — and 24 part-time members who hear cases in various regions of the country.

The establishment of this new improved tribunal involves transforming the current Civil Aviation Tribunal into a transportation tribunal that covers more than one mode of transportation. This new tribunal would operate based on the same principles that have contributed to the success of the Civil Aviation Tribunal: expertise, fairness, informal, cost-effective, accessible and affordable. Since the tribunal would be an administrative organization, rather than a criminal tribunal, it would not be subject to certain costs, restrictions and considerations that apply to criminal cases.

The tribunal would hear two different levels of proceedings, the first being review hearings that would be heard by only one member of the tribunal. After hearing from the two parties involved and considering all of the evidence submitted, the member would render his or her decision in writing. A party that was dissatisfied with the decision could appeal it to an appeal panel, generally consisting of three members. Obviously, the member who rendered the first decision would not sit on the appeal panel. The appeal decision would be final.

A key element to the success of the tribunal would be the expertise of the members hearing the cases. The members of the new tribunal would have to have relevant experience in the field of transportation. This means, for example, that an appeal hearing dealing with a marine issue would be heard by a member with experience in that field. If the tribunal were hearing a case where medical issues were dealt with, then the member hearing the case would have medical expertise, regardless of the transportation sector. The types of measures taken by the department could be reviewed by the tribunal, and its decision-making powers are established by the proposed amendments to six transportation acts: the Aeronautics Act, the Marine Transportation Security Act, the Canada Transportation Act, the Canada Shipping Act, the Railway Safety Act, and Bill C-14, the Canada Shipping Act, 2001.

The tribunal's powers would depend on the nature of the administrative decision being reviewed. When the measure is essentially one of a punitive nature, the tribunal could substitute its decision for that of the minister. One example of this would be the review of a monetary administrative penalty.

However, when the measure relates more to competency, to the qualifications required for licensing, to the public interest or other safety considerations, the tribunal would not generally have more than the power to confirm the ministerial decision or refer it back to him for reconsideration.

• (1420)

The bill is not intended to dilute the fundamental responsibilities for safety and security conferred upon the Minister of Transport by various statutes.

In closing, honourable senators, I believe that constituting this tribunal would make a great contribution to legislative reform in the transport sector. I am also convinced that the Transportation Appeal Tribunal of Canada could provide an effective and efficient right of review in the marime, railway and airline

industries and could benefit from the same levels of support as are now given to the Civil Aviation Tribunal.

I would invite honourable senators to examine this bill and I have every hope that you will also see in it a reasonable and practical approach that merits your support.

On motion of Senator Flynn, debate adjourned.

EXPORT DEVELOPMENT ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Raymond C. Setlakwe moved that Bill C-31, to amend the Export Development Act and to make consequential amendments to Other acts, be now read the second time.

He said: Honourable senators, my experience as a board member of the Export Development Corporation has made me aware of just how well this jewel of the Canadian government is administered, thanks to its excellent management team.

[English]

Bill C-31 is the outcome of a legislative review process mandated in 1993. In that year, a number of amendments were made to the Export Development Act. The purpose of the amendments was to improve the Export Development Corporation's ability to serve Canadian exporters. Canada's trade was expanding rapidly and certain aspects of EDC's operations needed streamlining.

If you review the debates that surrounded the 1993 amendments, honourable senators, you will find a strong consensus that EDC is a key element in Canada's international trade support. The expansion of the corporation's powers in the 1993 amendments was supported by all parties.

I do not have to tell this chamber how important Canada's exports are to our national prosperity. Some 43 per cent of our GDP and one out of four Canadian jobs are directly tied to exports. At the present time, EDC supports nearly 10 per cent of this trade. This is a remarkable role for a single firm and underlines the corporation's importance to Canada.

Since the 1993 amendments took effect, EDC's volume of business has grown almost fourfold, reaching over \$45 billion last year. It is clear that the 1993 changes have borne fruit, but at the time they were seen as a bold step. As a result, Parliament also decided that the corporation's future performance should be carefully monitored. To this end, it imposed a requirement for a thorough review of EDC's mandate and operations in five years' time.

That review commenced as required in 1998 and was the subject of hearings by both the House of Commons Standing Committee on Foreign Affairs and International Trade and the Standing Senate Committee on Banking, Trade and Commerce. The Banking Committee issued a report entitled "Export Development Act" in March 2000.

Not wishing to duplicate the House committee's work, the Banking Committee focused on what it saw as a central issue: the lack of private sector involvement in the medium-term financing of Canadian exporters. The committee therefore called on the government to establish a government guarantee facility that might support more private sector involvement in trade finance.

Before moving to the substance of this bill, I should like to note a few things about the legislative review itself. First, the terms of reference were extremely broad. They touched upon all aspects of EDC's operation and mandates: How are current programs operating, what are its customers' views and those of exporters who did not use its services?

Second, the review looked to the rapidly evolving world of international trade itself and the challenges faced by Canadian exporters in competing internationally. Could current programs be revised to better suit these needs? Was there untapped capacity in the Canadian financial system that EDC might help deliver to exporters?

Third, much emphasis was placed on non-commercial issues such as the environment and human rights. Was the corporation upholding values that reflect Canadian traditions? What effect were Canadian trade activities having on economic and social development in other countries?

Finally, the review included very extensive public consultations. If you look at the lists of witnesses and written submissions during the review, honourable senators, you will see that scores of individuals, companies and organizations were heard. There were additional consultations on discrete issues as well. The review was conducted with great publicity.

This did not always make for easy decisions. There is a huge range of opinion on the issues. Much of it is valid on its own terms, but difficult to reconcile. We did ensure that all voices were heard and that we were well informed concerning where Canadians stand.

[Translation]

There was a strong consensus on certain points. I have already mentioned how much Canada's economic well-being depended on international trade. The review brought out EDC's decisive contribution in this regard. The corporation is a well-managed agency, highly appreciated by its clients and respected by its competitors. EDC comes up with innovative programs and contributes much to multilateral dialogue on trade issues. Whatever the nature of the proposed amendments, it is important to maintain EDC's flexibility in the provision of services and to protect programs that are working well.

At the same time, however, there was agreement on the fact that EDC could do more to ensure respect for the values Canadians expected of a government agency. This was particularly true for matters having to do with the environment and human rights. EDC is Canada's emissary in many regards and all Canadians have a great interest in all of this.

As a result, we were told that EDC should meet reasonable environmental and social standards in the course of its activities. To that end, its environmental assessment framework would have to be firmly anchored in law.

In order to encourage greater transparency and rigour within this framework, the Auditor General could be charged with overseeing its operation on a regular and transparent basis. Committee members said that they were satisfied with the disclosure policy adopted by EDC, which reflected the recommendations in the Gowlings report, but recommended that there be public consultations on this policy and an independent review. We also endorsed the proposal that the corporation consider creating a position of ombudsman to enforce the policy.

Finally, it was recommended that the Export Development Act be amended so the EDC could honour Canada's contractual commitments and obligations in international agreements and in the area of human rights and labour standards, for example.

Naturally, the EDC and international financial institutions are not alone in facing this challenge. Increasingly, these issues concern every firm conducting business on a certain scale. We see, for example, very focussed measures being adopted by individual firms and multilateral bodies, such as the Organization for Economic Cooperation and Development, which is formulating a code of business ethics.

However, there are no easy precedents to follow in taking initiatives like these. New systems always have an impact on costs, on client expectations and on accepted ways of doing business. Naturally, there is some resistance. The work requires time, resources and real commitment. The Government of Canada believes that our crown corporations have both the means and the duty to take a leadership role in this work. However, the importance and complexity of the interests involved mean we must proceed with caution.

[English]

I should like to turn now to Bill C-31 and describe the proposed amendments to the Export Development Act and how they respond to the concerns raised during the legislative review.

• (1430)

EDC served nearly 6,000 Canadian exporters last year. The corporation hopes to continue to broaden this clientele base. To do this, Canada's small and medium-sized enterprises will need easy access to EDC's services. Part of this work involves simple publicity, and some of you will probably have seen EDC's recent television advertisements. Both here and abroad, the corporation is known by the popular acronym, EDC. Bill C-31, therefore, proposes to amend the corporation's name to Export Development Canada in English, and Exportation et développement Canada in French. This change will allow the use of the well-known brand name, EDC, in both official languages. It will strengthen the corporation's connection with Canada's institutions, and it should also facilitate the corporation's outreach marketing, especially to small exporters throughout Canada.

In a subtle way, then, this amendment serves an important objective that I hope we can all support. Bill C-31 also contains two rather technical amendments to the powers of its board of directors. The first would permit delegation of board powers to subcommittees composed of directors with special expertise in some area of corporate concern. It is standard modern business practice. It permits a corporate board to delegate issues to those who are best qualified to deal with them, and it does not absolve the board of ultimate responsibility for the final decisions taken in respect of such questions.

A second related technical amendment will enable EDC's board to make bylaws for the administration of a recently established pension plan. The plan took effect in April 2000. It was established with all appropriate authorizations and is consistent with the Treasury Board policy that Crown corporations should establish pension plans independent of the government plan.

[Translation]

I should like to turn now to the amendments that are probably of most interest to this House. Bill C-31 would establish a legal requirement for the EDC to conduct environmental reviews of the projects it is asked to support. It already does this but the amendment would make it a binding legal obligation. A related amendment would require the Auditor General to conduct regular examinations of the EDC's environmental review framework. These examinations would cover both the design of the framework and the EDC's performance in applying it. The examinations would occur at least once every five years and would be reported to Parliament.

[English]

Critics of Bill C-31 have suggested that EDC should be regulated under the Canadian Environmental Assessment Act. This view was expressed repeatedly throughout the legislative review, but neither Gowlings nor the parliamentary committees took up the suggestion. In fact, Gowlings stated that legislating specific environmental requirements for EDC might not be practical. Instead, they recommended an approach similar to that of the United States export credit agency, Ex-Im Bank.

Ex-Im Bank has had an environmental requirement in its governing legislation for almost 10 years. Ex-Im Bank's practices are often held up as a model for other agencies. In this approach, a general mandate to conduct environmental reviews is set by law, but Ex-Im Bank's board of directors is responsible for developing specific guidelines and procedures in consultation with stakeholders.

After analyzing numerous models, this is precisely what Bill C-31 will do, establish a general environmental mandate while leaving its detailed implementation to EDC's board of

directors. It is the approach that the House committee, with some enhancements, has also endorsed.

[Translation]

EDC recently completed public consultations on revising its environmental review framework. It employed both the Auditor General's recommendations and specific government guidance in undertaking these consultations. It has sought out and taken account of the views of industry and NGOs. It has also engaged a leading environmental consultant to assist with the consultations and prepare detailed recommendations for the framework's revision. No other export credit agency in the world has had its environmental procedures subjected to such meticulous and exhaustive review.

The possibility of regulating EDC under the Canadian Environmental Assessment Act was given careful consideration before the present course was chosen. In taking its decision, the government applied such criteria as ensuring environmentally sound projects, protecting competitiveness, respecting foreign sovereignty and preserving flexibility to operate in the fast paced international environment.

The approach we have chosen is consistent with the emerging practice in the international community and with our work on this issue in the OECD. It would provide a uniform process for EDC's projects and permit rapid adaptation to changing competitive and technical circumstances. To ensure that its procedures and standards are sound, the Auditor General will continue to oversee both its design and operation. There is an issue about which a recommendation was followed in principle, but not through legislative means. It was recommended that EDC's mandate should include a legal requirement to pay due regard to benefits to Canada and Canada's international commitments, particularly those that concern human rights and core labour standards.

[English]

EDC's mandate is trade promotion to the benefit of Canadian exporters and our common prosperity. Furthermore, as an agent of the Crown, EDC is already bound to adhere to Canada's international commitments. However, it was determined that a general statutory mandate of this kind could raise legal risks for the corporation without clarifying the specific requirements that must be met in a given case.

Unlike the environmental mandate, there is no pre-existing framework to help ground such an obligation in concrete operational measures. Nonetheless, the government acknowledges the serious concern that inspired this recommendation and is committed to ensuring that economic benefits and international obligations are taken account of in EDC's decision making. The government has decided to address this issue through two interconnected mechanisms.

In the first place, EDC will be required by its corporate plan to consider economic benefits to Canada and Canada's international commitments in the areas of human rights and core labour standards. Annual preparation of a corporate plan is required for Crown corporations by their governing statute, the Financial Administration Act. A corporate plan sets out and limits the range of a Crown corporation's business and activities. The plan is approved by ministers and tabled in summary form in Parliament, and a Crown corporation cannot act outside its parameters. In addition, the Department of Foreign Affairs and International Trade is working with EDC to refine mechanisms for continuous information exchanges on human rights and specific countries. This will operate at the level of general or sectoral conditions as well as with reference to specific projects.

With respect to the recommendation of the Banking Committee on a guarantee program, no legislative changes are being proposed at this time. However, in accordance with the committee's recommendation, the government officials have discussed this possibility with Canadian and foreign banks as well as international trade experts. Certain measures may be proposed which would address the gap in capacity that the committee had identified, though this would have to be done in a manner that does not disrupt EDC's current programs. There are, of course, serious issues regarding the potentially high cost of a guarantee program.

[Translation]

In bringing Bill C-31 to Parliament, my colleague, the Minister for International Trade, took a very balanced approach to policy reform at EDC. On the one hand, the bill would leave significant responsibility in EDC's hands for the development of environmental and social policies. On the other hand, through regular public consultations and the Office of the Auditor General, the EDC would be held accountable for these policies, which would also be monitored by the government.

Hon. Senators: Hear, hear!

On motion of Senator Kinsella, for Senator Angus, debate adjourned.

[English]

CRIMINAL LAW AMENDMENT BILL, 2001

SECOND READING—DEBATE ADJOURNED

Hon. Landon Pearson moved the second reading of Bill C-15A, to amend the Criminal Code and to amend other Acts.

She said: Honourable senators, I should like to begin the debate on second reading of Bill C-15A, to amend the Criminal Code and to amend other acts.

• (1440)

I asked to sponsor this bill because it contains a number of clauses related to the sexual exploitation of children, a deplorable and inhumane phenomenon that has deeply concerned me for a

number of years. The bill will create a number of new offences with respect to the perversion of the Internet for child pornography and for luring. It will also facilitate the prosecution of Canadian nationals who travel abroad to exploit children.

In addition to responding to serious crimes against children, the amendments proposed in the Criminal Law Amendment Act, 2001, address concerns related to other vulnerable members of society. They also provide an additional safeguard for the law enforcement community, propose improvements to the process for the review of allegations of wrongful conviction and make procedural improvements to the criminal justice system.

Let me turn first to the amendments proposed to protect children from exploitation. In the Speech from the Throne after the last election, the Government of Canada reaffirmed its commitment to safeguard children from criminals on the Internet by ensuring that they are protected from those who would prey on their vulnerability.

The provisions of Bill C-15A that deal with the protection of children respond to this commitment. They also respond to a consensus reached at the last federal-province-territorial meeting of ministers responsible for justice on the creation of an offence of Internet luring.

When I first became disturbed about the exploitation of children for the gratification of the most depraved of human instincts, the World Wide Web did not exist. Now it is expanding by leaps and bounds. Although I can applaud the Internet for its significant role in communication and its capacity to facilitate research, I deplore its corruption in the hands of predators, and I am not alone. Most people in Canada would like to prevent the use of the Internet by persons who, from the safety and secrecy of their homes, use the anonymity of it to lure children into situations where they can be sexually exploited.

The new offence of luring seeks to address what the police and the media have reported is a growing phenomenon. It criminalizes communicating through a computer system for the purpose of facilitating the commission of a sexual offence against a child or the abduction of a child.

Normally, as a result of our ratification of the United Nations Convention on the Rights of the Child, we define children in Canada as all human beings under the age of 18. However, the age of consent to non-criminal sexual activity stands currently at 14 years of age, and there is concern among some that unless it is raised the new luring offence will not protect all children.

I have not completely made up my mind about this. Nevertheless, I am pleased to note that the Minister of Justice has committed to addressing this issue as part of a larger comprehensive review and consultation on the need for criminal law and policy reforms relating to the definition of specific offences against children, age of consent to sexual activity, children's testimony and sentencing. The minister has indicated that she is expecting to receive a final report on the results of this review and consultation by the end of this year and that she will thereafter discuss options for further reform with her federal, provincial and territorial counterparts.

We also want to ensure that those who view or transmit child pornography to others will not escape criminal liability by using new technologies. We will extend the scope of current child pornography offences to make it clear that actions that constitute an offence when committed with traditional means remain an offence when committed with electronic means.

Therefore, in this bill, we are creating four new offences in addition to the new offence of luring: an offence of transmitting child pornography to cover one-to-one distribution, such as e-mail sent to one person only; an offence of making child pornography available, to cover those who post child pornography on a Web site that is publicly accessible but do not take other steps to distribute it; an offence of exporting child pornography, to meet our international obligations; and an offence of accessing child pornography, to capture those who intentionally view child pornography on the Internet but where the legal notion of possession may be problematic. The offence is defined to ensure that inadvertent viewing will not be caught under this offence.

[Translation]

We have already expanded the scope of the offence of possession of child pornography for the purposes of distribution and sale by adding "transmit," "making available," and "exportation" to the purposes.

[English]

In creating these new offences, the government carefully examined how this would affect the industry that has made Canada the world's most connected country. We recognize that Internet service providers cannot be expected to monitor everything that goes through their computer systems. I assure honourable senators that this bill will not require them to do so. All these offences using the Internet to exploit children — the proposed ones and the existing ones — are mens rea offences. They cannot be committed by an Internet service provider or anyone else without their knowledge of the elements of the offence.

[Translation]

The bill would grant the court the power to order the suppression of child pornography on the Internet, and it contains provisions that would allow for the instruments belonging to a person convicted of a child pornography offence to be forfeited.

[English]

All child pornography offences and the new offence of luring would be added to the list of offences for which a judge would be authorized to impose a prohibition order or a peace bond, or declare a person a long-term offender. The judge who makes a prohibition order or a peace bond would also be authorized specifically to impose a condition that the person not use the Internet to communicate with a child.

There is another element in this bill unrelated to the Internet that will contribute to the protection of children. Bill C-15A proposes an amendment to the child sex tourism provisions of the Criminal Code to facilitate the prosecution of Canadians who commit a sexual offence against a child in a foreign country. These provisions enable Canadian courts to assume jurisdiction in relation to Canadian nationals who have committed sexual offences against children while abroad.

Under current law, and with the consent of the Attorney General, child prostitution offences can be prosecuted without a specific request from the foreign country in which the offence was committed, but Canadians who have, for example, sexually abused Canadian or other children abroad can only be prosecuted in Canada when such a request has been received. Bill C-15A proposes to simplify this process by eliminating the procedural requirements of the formal request by the foreign country, thereby enabling Canadian prosecutions to be initiated more quickly.

Honourable senators may recall that in Bill C-40, respecting extradition and the Canada Evidence Act, there were measures to facilitate the taking of children's testimony from a foreign country where that should prove useful.

I will now turn to other proposed measures to improve protection for vulnerable Canadians. Bill C-15A proposes to increase the current maximum penalty for the offence of criminal harassment from 5 years to 10 years on indictment. Although anyone can be a victim of criminal harassment, Canadian statistics indicate that victims are overwhelmingly female and offenders male. It is in fact very much an issue of violence against women — often domestic violence against women. This a familiar issue for many honourable senators. I should like to acknowledge in particular Senator Oliver who, in the previous Parliament, introduced a private member's bill on this subject.

Bill S-17 shares a common objective with Bill C-15A. Both seek to strengthen the response of the criminal justice system to this type of criminal conduct.

[Translation]

In increasing the maximum sentence for criminal harassment from five to ten years, we are sending a clear message to criminal harassers. Criminal harassment is a serious crime that will result in serious consequences.

[English]

The objective of Bill C-15A to diminish criminal harassment is supported by a complementary measure jointly undertaken by the Minister of Justice and her provincial and territorial counterparts. I refer to the development and release of a comprehensive and practical set of guidelines for police, prosecutors and other criminal justice personnel regarding all aspects of a criminal harassment case, including victim safety. These guidelines were released in December 1999 and have been widely distributed across the country.

• (1450)

Turning now to the problem of home invasions, honourable senators may be aware that this phenomenon has achieved a growing prominence in the news media and in the minds of the public. The term "home invasion" is generally used to describe a robbery or a break-and-enter of a private residence where the perpetrator forces entry while the occupants are home and threatens to use or uses violence against the occupants. The Criminal Code offences most commonly used to address home invasion are robbery and break and enter of a dwelling house, both of which carry a maximum penalty of life imprisonment. While the statistical occurrence of home invasions is still low, these incidents have a significant impact on victims and result in many people feeling unsafe within their own homes.

The proposed amendment to the Criminal Code would indicate that where the offender's conduct was in the nature of a home invasion, the court must consider this to be an aggravating factor when determining the sentence to be imposed. Such an amendment would provide clear direction to the courts and would express Parliament's view that home invasions are a grave form of criminal conduct which must be dealt with appropriately during the sentencing process. This amendment also acknowledges that home invasions have a devastating impact on the victims of this type of crime, and that the safety and security of Canadians within their own homes must be protected.

Some critics have called for a different approach to this serious conduct. They have called for a separate offence of home invasion. However, this type of conduct is already covered by existing offences in the Criminal Code, and judges already tend to hand down very severe sentences for crimes involving home invasion, with the range of sentences generally beginning at eight years' imprisonment. The need for a separate offence is not compelling. The aggravating sentencing circumstance provision posed in Bill C-15A is a balanced and reasonable approach to the issue of home invasions.

I should now like to turn to another important measure proposed in Bill C-15A. That is the new offence of disarming or attempting to disarm a peace officer. Bill C-15A creates for the first time in our Criminal Code a new distinct offence of disarming or attempting to disarm a peace officer who is acting in the course of his or her duties and would carry a maximum penalty of five years.

This penalty reflects the seriousness of the offence and sends a clear message that taking a police officers' weapon will not be tolerated.

[Translation]

The government wishes to recognize the contribution of the Canadian Police Association in formulating this measure. The Association pointed out that the disarming of a peace officer was one of the three priorities in the context of the reform of the law. We congratulate it on drawing our attention to this matter, and

the Government of Canada is to be congratulated for acting on it through this amendment.

[English]

We ask police officers to go into many situations that can be extremely volatile. In investigating what may seem to be routine incidents, the officer may not know the whole situation. It may not be self-evident that a suspect is likely to be violent. If someone takes an officer's gun or baton, a relatively routine investigation can suddenly escalate, becoming deadly. There are examples of police officers responding to bar room brawls where the officer is wrestled for his gun or attacked by multiple assailants. Intoxicated suspects may grab for the weapon in an effort to resist the police in the police cruiser or in a lock-up. Other suspects may do anything to escape, including turning a police weapon on the arresting officer. Hopefully, a specific offence in the Criminal Code will make suspects think twice about trying to snatch a weapon away from an investigating officer.

Bill C-15A contains important improvements to the current procedure for reviewing alleged wrongful convictions. These proposed amendments to the post-appellate conviction review process will make the process more efficient, open and accountable. They are intended to address the concerns of critics of the current section 690 conviction review process.

The efficiency and integrity of the criminal justice system depends on its ability to protect the innocent while bringing those who are guilty of crime to justice. However, the *Donald Marshall* and *David Milgaard* cases have shown us that despite all the precautions that the justice system takes to avoid the conviction of an innocent person, wrongful convictions can and regrettably do occur.

[Translation]

The system of reviewing applications for clemency in Canada is for those who believe they have been the victim of a miscarriage of justice and who have exhausted all avenues of legal recourse open to them. Requests for clemency are directed to the Minister of Justice of Canada who decides, on the basis of new information not available at the time of the trial or appeal, whether a new trial should be ordered. The review process is the ultimate safety net for victims of a miscarriage of justice. Thanks to it, such cases are returned to the justice system.

[English]

However, there are many critics of the existing system. For many years now, there have been calls for the reform of how cases involving the alleged miscarriages of justice are handled. In October, 1998, the Minister of Justice released a public consultation paper, seeking submissions on how our conviction review process could be improved. The minister was searching for a fair and efficient solution that would serve the best interests of the Canadian public and our system of justice.

Some critics asserted that Canada needs an independent body to review alleged wrongful convictions similar to the Criminal Cases Review Commission which was created in 1997 in Great Britain. However, at the end of an extensive consultation process, the Minister of Justice rejected the option of an independent body and concluded that the ultimate decision-making authority in criminal conviction review should remain with the federal Minister of Justice because the role of the federal Minister of Justice is ideally suited to the task of effective gate-keeping and returning appropriate cases back to the judicial system. The federal Minister of Justice is accountable to Parliament and to the people of Canada. This approach recognizes and maintains the traditional jurisdiction of the courts while providing a fair and just remedy in those exceptional cases that have somehow fallen through the cracks of the conventional justice system.

However, the consultation process also reveals that maintaining the current state of conviction review is not a desirable option and that improvements are necessary to the current system.

One of the key criticisms of the current conviction review process is how long it takes to review an application. The amendments proposed in this bill are intended to address this concern. The amendments would provide investigative powers to those investigating cases on behalf of the Minister of Justice. For the first time this would allow investigators to compel witnesses to testify and also to compel the production of documents. Such powers would enhance the thoroughness, effectiveness and timeliness of the review process.

In order to make the conviction review process more open and accountable, ministers of justice will now be required to provide an annual report to Parliament with respect to applications for a conviction review.

The Criminal Code currently limits conviction reviews to those who have been convicted of the serious most indictable offences but, in recognition of the fact that any wrongful conviction is wrong and threatens public confidence in the justice system, Bill C-15A proposes that conviction reviews be expanded to allow for the review of any federal conviction.

The Minister of Justice also intends to implement administrative changes to the conviction review unit to help make the conviction review process more open, accessible and accountable. The conviction review unit will be expanded to include investigators. A Web site will be created to give applicants information on the process and a special adviser will be appointed to oversee the review of applications and to provide advice directly to the minister.

[Translation]

The government recognizes that these legislative and administrative amendments are the most effective and efficient way of improving the extrajudicial process of reviewing a decision by an appeal court in Canada.

[English]

Now let me turn to the area of criminal procedure reform.

[Translation]

For some time now, the federal government has been working closely with the provinces and territories on reforming criminal procedure. Two series of reforms were proposed, one in 1994 — Bill C-42 — and the other in 1996 — Bill C-17 — and are now in effect. These first two series of reforms have permitted better management of the resources of the criminal justice system. The governments are now calling for a third phase. It contains the amendments proposed in C-15A.

[English]

The objectives at phase 3 are to simplify trial procedure, modernize the criminal justice system and enhance its efficiency through the increased use of technology; and to better protect victims and witnesses in criminal trials and provide speedy trials in accordance with charter requirements. This phase is an essential instalment in our efforts to modernize our procedure without in any way reducing the measure of justice provided by the system.

• (1500)

The criminal procedure reform amendments proposed in Bill C-15A would retain the unconditional right to a preliminary inquiry for indictable offences on request, while modifying some procedural aspects of the inquiry; create a limited defence disclosure obligation with respect to expert evidence; facilitate the application of knew technology, such as the use of electronic documents; expand the potential for remote appearances; codify a plea comprehension inquiry scheme to make it easier for the attorneys general to carry out the duty of supervising private prosecutions; place restrictions on the use of agents in criminal matters; and allow for the selection of two jury alternates, who would be on hand until the start of a trial.

As I said at the outset, this package of reforms was developed in partnership with the provinces and the territories. They support these reforms, and because they are responsible for the administration of justice, I believe we should do our best to give them the tools they need to ensure the efficient and effective operation of the criminal justice system.

Honourable senators, I should like to say a few words about amendments proposed in Bill C-15A to the National Capital Act and the National Defence Act. In order to make the National Capital Act consistent with other federal legislation regulations, it is proposed that the maximum fine available for offences in regulations under the act be increased from \$500 to \$2,000, the maximum fine currently provided in the Criminal Code for summary conviction matters. The types of offences this proposed change would target are relatively serious regulatory offences, such as poaching of large game and illegal dumping of waste.

The proposed amendments to the National Defence Act would allow for the taking of fingerprints and other information from persons charged with or convicted by court martial of designated service offences. The designated service offences would be offences that are identical or substantially similar to offences for which civilians are currently subject to fingerprinting under the Identification of Criminals Act. This legislative authority is proposed to enable police forces to have access to the full criminal record of persons dealt with under the Code of Service Discipline.

Honourable senators, Bill C-15A, like all omnibus bills amending the Criminal Code, addresses a number of disparate issues. Before it was split apart, Bill C-15 was even more varied in its content. No doubt, we will eventually get Bill C-15B and have the opportunity to examine issues related to the cruelty of animals as well as to firearms. Someone else can carry that charge.

I am more than happy to seek support for the A section of Bill C-15. I am particularly pleased with the clauses seeking to protect children from predators on the Internet and to prevent the spread of child pornography. Since 1996, I have chaired the interdepartmental committee following the First World Congress Against the Commercial Sexual Exploitation of Children in Stockholm. During that time, several police officers — cyber-cops — have shared their frustration about pursuing individuals who have used the Internet to entrap young people. Once upon a time, home was a sanctuary from predators at the door, but since the arrival of the Internet, that is no longer the case. Bill C-15A will not solve electronic invasions, but it will certainly help. Also, some children, when this bill is enacted, will be better protected by Canadian law when they travel abroad.

The harassment and home invasion amendments also move in the right direction for the protection of the vulnerable. Peace officers may appear less vulnerable than others whose protection is sought in this bill. Nevertheless, they take many risks on our behalf and deserve the support that the amendments to criminalize successful, or even unsuccessful, attempts to disarm them, may be able to provide them as they go about their business.

I also agree with the amendments to improve the review process for alleged wrongful convictions, having been convinced of the usefulness of the proposed procedural changes. As for the amendments to both the National Capital Act and the National Defence Act, they appear sensible and necessary.

Bills such as C-15A are very hard to read, unless you have the Criminal Code beside you. However, I have asked many questions and I have been both educated and generally satisfied by the answers I have received.

Honourable senators, I seek your support for this bill, confident it will make a positive difference for all Canadians. I would like to be able to tell the 2,000 people who will assemble this coming December in Yokahama, Japan for the second World Congress Against Commercial Sexual Exploitation, that we will soon have a new law that could serve as an example for other countries struggling with the same issues.

On motion of Senator Kinsella, for Senator Nolin, debate adjourned.

[Translation]

PRIVACY RIGHTS CHARTER BILL

SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Finestone, P.C., seconded by the Honourable Senator Rompkey, P.C., for the second reading of Bill S-21, to guarantee the human right to privacy.—(Subject-matter thereof referred to the Standing Senate Committee on Social Affairs, Science and Technology, April 26, 2001.)

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, when the subject matter of this bill was referred to the Standing Senate Committee on Social Affairs, Science and Technology, it was agreed that this item would remain on the Order Paper for 15 days. Since that period has now expired, I move that this item be put back on the Order Paper for a second 15-day period.

[English]

The Hon. the Speaker: Honourable senators, is leave granted to recommence the time running on Bill S-21?

Hon. Senators: Agreed.

Motion agreed to.

ANTI-TERRORISM BILL

REPORT OF SPECIAL COMMITTEE ON SUBJECT MATTER OF BILL C-36 TABLED

Leaving having been given to revert to Presentation of Reports from Standing or Special Committees:

Hon. Joyce Fairbairn: Honourable senators, I have the honour to table the first report of the Special Committee on the Subject Matter of Bill C-36, to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other Acts, and to enact measures respecting the registration of charities, in order to combat terrorism and explore the protection of human rights and civil liberties in the application of this Act.

Pursuant to rule 97(3), I move that the report be placed on the Orders of the Day for consideration on Wednesday next, November 7, 2001, and that a message be sent to the House of Commons to acquaint that House with the contents of the said report.

(For text of report, see Appendix of today's Journals of the Senate, p. 930.)

The Hon. the Speaker: Honourable senators, is it your pleasure to adopt the motion?

Motion agreed to.

• (1510)

ASIAN HERITAGE

MOTION TO DECLARE MAY AS MONTH OF RECOGNITION— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Poy, seconded by the Honourable Senator Carney, PC.

That May be recognized as Asian Heritage Month, given the important contributions of Asian Canadians to the settlement, growth and development of Canada, the diversity of the Asian community, and its present significance to this country.—(Honourable Senator Taylor).

Hon. Nicholas W. Taylor: Honourable senators, I wish to speak in support of this motion mainly in relation to my life experience in Western Canada with three groups. First are the Sikh people, who are mostly from the Punjab and speak Punjabi. Today these people dominate our timber industry. In fact, since the Americans have bought out most of the large Canadian companies, they are the backbone of our independent lumber movement, or fibre processing movement, in British Columbia, Alberta and Saskatchewan.

The Sikh people have many family loyalties and send their children to university to study particularly the sciences. In the last 25 years, they were very much involved in building the modern Western Canada. They have had a dominant influence, which is much appreciated. Theirs is the type of immigration one often reads about where an immigrant comes to this country and creates three or four local jobs.

Sikhs have also become members of Parliament. They are somewhat like the Irish — a bit disputatious; hence, they are attracted to politics. The Sikhs do not wait three or four generations before they can get into politics. They usually leap into that sector of society quickly. They make great politicians and they have members in all political parties.

When we talk about the peoples of Asia who have contributed to Canada, another group of people I want to mention is the Japanese. Again, as a Westerner, I was just approaching my teenage years when the Japanese were moved out of British Columbia. We now look back on that time and say it was a horrible thing to do because they were citizens, and some of them had been citizens for two or three generations. All one needs to do these days is pick up a newspaper and read about the holy war in Afghanistan, with Afghanis who do not own much more than a .22 rifle being pounded into the dirt, to show how propaganda can get people excited.

The excitement back in the 1940s was the fear that if the Japanese were left alone on the waterfront, they would take their

flashlights and signal the submarines to come and blow up Vancouver. The fact that Vancouver might be blown up really did not bother the Albertans much, but what did happen is the Japanese were moved into camps in Central B.C., which were very much like concentration camps, only they were Canadian concentration camps.

After a year or so, it was decided that the Japanese could do more good in Southern Alberta. That is where I spent my teenage years, where they were working on the farms, in irrigation and in the truck gardens. They came and, rather amazingly, the Southern Albertans adopted them as if they were members of the family. There was a certain amount of discrimination here and there, but being that Southern Alberta was an area of immigrants, the arrival of the Japanese did not make much difference. In fact, I went to a school where I was from one of the only Anglo-Saxon families. I could swear better in Hungarian than I could in English up until I was 14 or 15 years old.

The Japanese were very much a part of our community. The beauty of these Asiatic people was that they never held a grudge. Many of them did not bother going back to British Columbia. They intermarried and have become leading citizens in that part of Alberta. Many who came from concentration camps in B.C. have become mayors, doctors and leading citizens in our communities. To this day, their lack of rancour or sense of being mistreated is absolutely amazing. They have forgiven us for what was almost unforgivable and have become a big part of the Canadian mosaic.

To go back farther in time, I was raised in Southern Alberta when the drought decimated the crops. Very few crops grew in a large portion of Southern Alberta and Saskatchewan. What there was to sell went at very low prices indeed. The farmers got little for their commodities. Yet, in most towns, the only people doing business were the Asian people. The banks and the loan companies had taken off because no one in their right mind would loan money to a farmer in those days. However, there was always a Chinese merchant in those towns.

Quite often these Chinese merchants owned a grocery store and/or a restaurant. Many families in Western Canada, especially in the southern part of Alberta, Saskatchewan and Manitoba affected by drought, owe their survival to these Chinese. This fact is often overlooked today. These immigrants, who were not even allowed to bring their wives and families over to Canada, still went into the towns and extended credit. They were not bankers, but one could always go into the Chinese restaurant or the Chinese grocery store if times were hard and the merchant nearly always extended credit. They became the backbone of the whole area as far as retaining the population.

If it were not for the Chinese merchants, we would have a more desolate looking Alberta and Saskatchewan than we do today. At the very least, there would be a different group of people populating that region of Canada. We mistreated the Asian merchants as much as we had the Japanese at a later time.

• (1520)

They came into the community and sold groceries and extended credit. As a result, they very much became a part of the community. To this day, it is a tribute to them that we are paying them back in a very small way in recognizing their importance by having a person of Chinese heritage in the position of Governor General of Canada.

I want to give credit to the Chinese and the Japanese for moving to Canada and staying here after they had been placed in concentration camps. I do not think any of us — certainly none of my ancestors, who were mostly Scottish and Indian — would have been able to forgive had that been done to them. Yet the Japanese and Chinese mostly forgave us, moved in and helped us set up the economies of Alberta and Saskatchewan. For that, I will be eternally grateful.

On motion of Senator LaPierre, debate adjourned.

[Translation]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

MOTION TO AUTHORIZE COMMITTEE TO STUDY RENEWAL OF BROADCASTING CONTRACT WITH CPAC—
DEBATE ADJOURNED

Hon. Jean-Robert Gauthier, pursuant to notice of June 11, 2001, moved:

That the Standing Committee on Internal Economy, Budgets and Administration be authorized to examine and report upon the renewal of the television broadcasting agreement between the Senate and CPAC (the Cable Public Affairs Channel), so that it includes the subtitling of parliamentary debates authorized on television and the renewal of this agreement follows up on CPAC's commitments concerning services to the hearing impaired.

He said: Honourable senators, Motion No. 68 is similar to Inquiry No. 13, which I have been sponsoring for some time and which has been discussed in the Senate on a few occasions.

If this motion is adopted by the Senate, it will authorize the Standing Committee on Internal Economy, Budgets and Administration to examine and report on the renewal of the television broadcasting agreement between the Senate and CPAC, so that it includes the subtitling of parliamentary debates authorized on television.

Honourable senators, you will recall that I raised this matter on a number of occasions in this chamber, since the agreement between the Senate and CPAC, the Cable Public Affairs Channel, expired on August 30, 2000, over a year ago. My concern was to ensure that, in the negotiations underway, the new agreement would provide for the continued broadcasting of our

deliberations, and that those deliberations would be accompanied by coded, or real time, subtitling.

I am also concerned about the renewal of the agreement between the House of Commons and CPAC. As things now stand, the House of Commons debates are available and televised with subtitling during Oral Question Period. As subtitling is available only in English right now, this has led to warranted criticism from certain people, especially in the maritime provinces, who were served by a local cable company which received only the video and audio from the floor of the House, in other words, the language used by the member.

They wondered why they could not receive the signal in their mother tongue. Complaints were filed with the Commissioner of Official Languages. The latter investigated and the Joint Committee on Official Languages met to study the matter and report. The report, tabled in the House, called on the government to come up with a comprehensive response to the issue and that is what it did on September 26, 2001.

I will read from a letter signed by the Leader of the Government in the House of Commons, the Honourable Don Boudria:

The government wishes to express its support for televising the debates and proceedings of parliament in both official languages. The government believes that access by more Canadians to the televised debates and proceedings of parliament plays an essential role in the democratic process in Canada.

• (1530)

Under our country's Constitution, one or the other of the country's official languages is used in Parliament and in the courts. As a result, automatically, the debates are broadcast in both official languages, and if possible, with closed captioning in order to allow the deaf and hearing-impaired to follow what is going on in the Parliament of Canada.

I recommend the report of the Joint Committee on Official Languages to anyone wishing more detail on this. It contains some realizable recommendations. The political desire to implement them is necessary, however, and it is high time this was addressed. The report is entitled "Broadcasting and Availability of the Debates and Proceedings of Parliament in both Official Languages", and it was tabled in the Senate on May 2 and adopted on May 16. The government response was provided on September 26.

I have two areas of concern. The first is to ensure that the new agreement the consortium of CPAC broadcasters has negotiated with the House of Commons and the Senate stipulates that the debates will be supplied by the Parliament of Canada not only in both official languages but also closed-captioned to ensure everyone has access to these debates. It is obvious that we will have some important decisions to take before achieving accessible service for all. At present, the deliberations of the Senate are not broadcast, except for the occasional committee.

Some claim that it was the fault of CPAC that the message was not broadcast in both official languages. CPAC is the messenger. It takes the message that it is given by the House of Commons or the Senate and it rebroadcasts it through its system of satellites across the country. It is the Parliament of Canada that is responsible for the message. It is the Speaker of the House of Commons and the Chair of the Senate Committee on Internal Economy, Budgets and Administration who are responsible for ensuring that there is a certain amount of discipline when it comes to the use of both languages in the broadcasting of our message.

My second concern involves convincing Senate authorities that the time is long overdue that we broadcast the parliamentary debates of the Senate. It is unacceptable that in this era of modern communications, the Senate is not outfitted with the latest technologies to provide Canadians with access to parliamentary debates, which would allow them to learn more about the important work of the Senate. It would also allow journalists to follow the debate in the Senate and understand the importance of our work.

Some committees are broadcast. It is not consistent, even if our contract with CPAC, which expired in August 2000, contained a commitment that we would provide between six and eight hours per week. I seriously doubt that we delivered.

I am convinced that these days we need to broadcast not only the Senate committees, but also the debates in the Senate chamber. This would contribute to a better understanding of the work that senators accomplish. Another option would be to allow the committees to do it, but based on the availability of equipment and human resources, since it requires specially equipped rooms.

I would like to use the example of the ceremony of Royal Assent, which takes place here in the Senate. In the House of Commons, the Usher of the Black Rod invites members to come to the Senate and attend the ceremony. It is public in the other place, but not here, because it is not broadcast. Back in the Senate, the ceremony continues, out of the camera's eye. I really do not understand how a serious ceremony can be broadcast publicly because part of it takes place in part in the House of Commons and not broadcast because here we do not have the equipment. Perhaps we lack the desire as well!

At the moment, there is a government bill to change the procedure of Royal Assent, because a number of senators and members consider it a waste of time. They say it is symbolic. That is true. It is one of the important duties of the Governor General. He — or his representative — comes here to give Royal Assent to bills passed by both Houses of Parliament. That is important. It would be interesting for Canadians to understand what we mean when we speak of S-29, C-15 or C-11.

The present situation contributes indirectly to a lack of visual and audio information when things as important as Royal Assent occur. The Chair of the Standing Committee on Internal Economy, Budgets and Administration, Senator Kroft, reminded us in his speech last week that the CRTC had published the broadcasting requirements for closed captioning in 1995.

In a press release dated March 24, 1995, the CRTC dealt with a number of social issues considered in renewing television station licences, including the situation of the deaf and the hearing-impaired. The CRTC required large stations — those with annual revenues of over \$10 million — to closed-caption at least 90% of all programs in a broadcasting day before the end of the period covered by their licence. CPAC is not a television channel, but a public service, a consortium of cable companies which broadcast certain signals, in particular those from the House of Commons and from the Senate when available, to their clients.

I would like the Senate to agree to allow our proceedings to be broadcast with closed captioning. For some time now, I have been provided with a stenotypist, who has a laptop computer. I can therefore follow what is going on in the Senate because this person uses her stenotype to produce a visual form of the oral signal she receives. This is very helpful to me. There are 200,000 people in Canada with hearing problems. People from the Canadian Hard of Hearing Association have been to see me and asked me to explain to you the difficulties they are having. It is very important for Canadians who wish to watch the proceedings of the Senate and the House of Commons to have access to closed captioning in real time. This is essential in a good democracy.

• (1540)

I acknowledge that there are problems, but there is also a considerable demand for these specialized stenotypists in public bodies, television, the courts, the provincial legislatures and the Parliament of Canada. We need that service.

It is hard to get qualified stenotypists because, now, training is provided only in English, in Toronto, Edmonton and Vancouver. There is none in French at this time.

I tried to convince La Cité Collégiale, a post-secondary institution in Ottawa, to provide a French stenotyping course. It took some months and I was told that there was an interest, provided we could ensure employment for future students.

I answered that the need was there, and we were not the only ones needing stenotypists. The Supreme Court, the Federal Court, courts in general need them, as do both the House of Commons and the Senate. We need French stenotypists. There has been no training available since the fall. The last school, which was in Montreal, closed down because the lady who ran it reached retirement age. We are in a bind! There is no more training available. I think it is absolutely essential to set up a course.

The Hon. the Speaker *pro tempore*: I regret to inform the honourable senator that his time is up. Does the honourable senator have leave to continue?

Some Hon. Senators: Yes.

Senator Gauthier: Honourable senators, this matter has been discussed on several occasions and I would simply like to enlist my colleagues' patience and generosity and ask that the motion be adopted and referred to the Standing Committee on Internal Economy, Budgets and Administration so that we can continue to address the matter in a serious way and draft a report, in order to give Canadians a clear message that Parliament, the Senate and the House of Commons, do indeed want them to have television broadcasting in both official languages and with closed-captioning.

Hon. Eymard G. Corbin: Honourable senators, I want to discuss the motion brought forward by Senator Gauthier for a few minutes and then I intend to move that the debate be adjourned.

First, I want to congratulate Senator Gauthier once again and say how much I admire his tenacity and his determination when it comes to issues that relate not only to the Official Languages Act and its application, but also to issues that have surfaced since his unfortunate disease.

It is hard to have an idea of what a handicap really is unless we suffer from it. I know about this. There was a time when, as a student, I was learning to play oboe, clarinet and saxophone. Since one needs all ten fingers to play these instruments, I had to give up learning how to play them.

It is then that I realized that we sometimes take other people's condition for granted and that, regardless of the circumstances, we think these people will reintegrate and carry on with their lives. However, there are things in life that are quite shattering. Deafness, to which Senator Gauthier's motion refers, is one of them.

Since he himself is affected by this condition, Senator Gauthier is asking that we meet the expectations and needs of the many Canadians who suffer from this condition. Closed-captioning is important not only in terms of complying with, applying or broadening the scope of the Official Languages Act. It is also a practice that should gradually be introduced as we get the necessary resources, while also taking advantage of the new techniques that are constantly evolving in many other communication sectors.

In a country that claims not only to be bilingual, but also multicultural, this is important in terms of cultural gains.

Honourable senators, I will stop here for now. I intend to reread Senator Gauthier's comments with great attention, because I was distracted at times. I will continue on another day. On motion of Senator Corbin, debate adjourned.

[English]

[Earlier]

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Peter A. Stollery: Honourable senators, the Deputy Prime Minister of Russia is visiting us today. These things are sometimes a little out of our control. Thus, with leave of the Senate, I move:

That the Standing Senate Committee on Foreign Affairs be authorized to sit today, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

• (1550)

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?

Motion agreed to.

• (1550)

ANTI-TERRORISM BILL

REPORT OF SPECIAL COMMITTEE ON SUBJECT MATTER OF BILL C-36—CORRECTED FRENCH VERSION TABLED

Leave having been given to revert to Tabling of Documents:

Hon. Joyce Fairbairn: Honourable senators, earlier in the afternoon I tabled the first report of the pre-study of the Special Senate Committee on Anti-terrorism, studying Bill C-36. There was a line dropped in the French version. I have that now corrected. I would seek leave to table this in its place.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

(For text of report, see Appendix of today's Journals of the Senate, p. 930.)

[Translation]

ADJOURNMENT

Leave having been given to revert to Notices of Motions:

The 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 at 2 p.m.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned during pleasure.

• (1630)

ROYAL ASSENT

The Honourable Jack Major, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Acting Speaker, the Honourable the Deputy Governor General was pleased to give the Royal Assent to the following bill:

An Act respecting shipping and navigation and to amend the Shipping Conferences Exemption Act, 1987 and other Acts (*Bill C-14*, *Chapter 26/2001*).

An Act respecting immigration to Canada and the granting of refugee protection to persons who are displaced, persecuted or in danger (*Bill C-11, Chapter 27/2001*).

The House of Commons withdrew.

The Honourable the Deputy Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Senate adjourned until Tuesday, November 6, 2001, a 2 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

THE HONOURABLE DANIEL P. HAYS

THE LEADER OF THE GOVERNMENT

THE HONOURABLE SHARON CARSTAIRS, P.C.

THE LEADER OF THE OPPOSITION

THE HONOURABLE JOHN LYNCH-STAUNTON

OFFICERS OF THE SENATE

CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

PAUL BÉLISLE

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

GARY O'BRIEN

LAW CLERK AND PARLIAMENTARY COUNSEL

MARK AUDCENT

USHER OF THE BLACK ROD (ACTING)

BLAIR ARMITAGE

THE MINISTRY

According to Precedence

(November 1, 2001)

The Right Hon. Jean Chrétien The Hon. Herbert Eser Gray The Hon. David M. Collenette The Hon. David Anderson The Hon. Ralph E. Goodale

The Hon. Brian Tobin The Hon. Sheila Copps The Hon. John Manley The Hon. Paul Martin The Hon. Arthur C. Eggleton The Hon. Anne McLellan The Hon. Allan Rock The Hon. Lawrence MacAulay The Hon. Alfonso Gagliano The Hon. Lucienne Robillard

The Hon. Martin Cauchon

The Hon. Jane Stewart The Hon. Stéphane Dion

The Hon. Pierre Pettigrew The Hon. Don Boudria The Hon. Lyle Vanclief The Hon. Herb Dhaliwal The Hon. Ronald J. Duhamel

The Hon. Claudette Bradshaw The Hon. Robert Daniel Nault The Hon. Maria Minna The Hon. Elinor Caplan The Hon. Sharon Carstairs The Hon. Robert G. Thibault The Hon. Ethel Blondin-Andrew The Hon. Hedy Fry The Hon. David Kilgour The Hon. James Scott Peterson The Hon. Andrew Mitchell

> The Hon. Gilbert Normand The Hon. Denis Coderre The Hon. Rey Pagtakhan

Prime Minister Deputy Prime Minister Minister of Transport Minister of the Environment

Minister of Natural Resources and Minister responsible for the Canadian Wheat Board

Minister of Industry

Minister of Canadian Heritage

Minister of Foreign Affairs Minister of Finance

Minister of National Defence

Minister of Justice and Attorney General of Canada

Minister of Health

Solicitor General of Canada

Minister of Public Works and Government Services

President of the Treasury Board and Minister responsible for Infrastructure

Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec)

Minister of Human Resources Development

President of the Queen's Privy Council for Canada and

Minister of Intergovernmental Affairs

Minister of International Trade

Leader of the Government in the House of Commons

Minister of Agriculture and Agri-Food **Minister of Fisheries and Oceans**

Minister of Veterans Affairs and Secretary of State (Western Economic Diversification) (Francophonie)

Minister of Labour

Minister of Indian Affairs and Northern Development

Minister for International Cooperation Minister for Citizenship and Immigration **Leader of the Government in the Senate**

Minister of State (Atlantic Canada Opportunities Agency)

Secretary of State (Children and Youth)

Secretary of State (Multiculturalism) (Status of Women)

Secretary of State (Latin America and Africa)

Secretary of State (International Financial Institutions) Secretary of State (Rural Development) (Federal Economic **Development Initiative for Northern Ontario**

Secretary of State (Science, Research and Development)

Secretary of State (Amateur Sport)

Secretary of State (Asia-Pacific)

ACCORDING TO SENIORITY

(November 1, 2001)

Senator	Designation	Post Office Address
THE HONOURABLE		
Herbert O. Sparrow	Saskatchewan	. North Battleford, Sask.
Edward M. Lawson	Vancouver	. Vancouver, B.C.
Bernard Alasdair Graham, P.C	The Highlands	. Sydney, N.S.
Jack Austin, P.C.		
Willie Adams		
Lowell Murray, P.C	Pakenham	. Ottawa, Ont.
C. William Doody Peter Alan Stollery	Harbour Main-Bell Island	. St. John's, Nfld.
Peter Alan Stollery	Bloor and Yonge	. Toronto, Ont.
Peter Michael Pitfield, P.C	Ottawa-Vanier	. Ottawa, Ont.
E. Leo Kolber	Victoria	. Westmount, Que.
Michael Kirby	South Shore	. <u>H</u> alifax, N.S.
Jerahmiel S. Ğrafstein	Metro Toronto	. Toronto, Ont.
Anne C. Cools	Toronto-Centre-York	. Toronto, Ont.
Charlie Watt	Inkerman	. Kuujjuaq, Que.
Daniel Phillip Hays, <i>Speaker</i>	Calgary	. Calgary, Alta.
Joyce Fairbairn, P.C	Lethbridge	. Lethbridge, Alta.
Colin Kenny		
Pierre De Bané, P.C.	De la Vallière	. Montreal, Que.
Eymard Georges Corbin	Grand-Sault	. Grand-Sault, N.B.
Brenda Mary Robertson	Riverview	. Shediac, N.B.
Norman K. Atkins	Markham	. Toronto, Ont.
Ethel Cochrane	Newfoundland	. Port-au-Port, Nfld.
Eileen Rossiter	Prince Edward Island	. Charlottetown, P.E.I.
Mira Spivak	Manitoba	. Winnipeg, Man.
Roch Bolduc		
Gérald-A. Beaudoin	Rigaud	. Hull, Que.
Pat Carney, P.C.	British Columbia	. Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	. Church Point, N.S.
Consiglio Di Nino		
Donald H. Oliver		
Noël A. Kinsella		
John Buchanan, P.C.	Nova Scotia	. Halifax, N.S.
John Lynch-Staunton	Grandville	. Georgeville, Que.
James Francis Kelleher, P.C.	Ontario	. Sault Ste. Marie, Ont.
J. Trevor Eyton	Untario	. Caledon, Unt.
Wilbert Joseph Keon	Ottawa	. Ottawa, Ont.
Michael Arthur Meighen	St. Marys	. Toronto, Unt.
J. Michael Forrestall		
Janis G. Johnson	vvinnipeg-Interlake	. winnipeg, Man.
A. Raynell Andreychuk	Kegina	. Kegina, Sask.
Jean-Člaude Rivešt	Stadacona	. Quedec, Que.
Terrance R. Stratton		
Marcel Prud'homme, P.C.		
Leonard J. Gustafson		
David Tkachuk		
W. David Angus	Allila	. Montreal, Que.

ACCORDING TO SENIORITY

Senator	Designation	Post Office Address
THE HONOURABLE		
Pierre Claude Nolin	De Salaberry	. Quebec, Que.
Marjory LeBreton	Ontario	. Manotick, Ont.
Gerry Št. Germain, P.C	Langley-Pemberton-Whistler .	. Maple Ridge, B.C.
Gerry Št. Germain, P.C	De la Durantaye	. Laval, Que.
Sharon Carstairs, P.C.	Manitoba	. Victoria Beach, Man.
Landon Pearson	Ontario	. Ottawa, Ont.
Jean-Robert Gauthier	Ottawa-Vanier	. Ottawa, Ontario
John G. Bryden	New Brunswick	. Bayfield. N.B.
Rose-Marie Losier-Cool	Tracadie	. Bathurst, N.B.
Céline Hervieux-Payette, P.C	Bedford	. Montreal. Que.
William H. Romnkey P.C.	Labrador	North West River Labrador Nfld
Lorna Milne	Peel County	. Brampton. Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	. Ottawa. Ont.
Shirley Maheu		
Nicholas William Taylor	Sturgeon	Chestermere Alta
Nicholas William Taylor	Stanhone St /Bluenose	Chester N.S.
Lucie Pénin	Shawinigan	Montreal Que
Lucie Pépin Fernand Robichaud, P.C	New Brunswick	Saint-Louis-de-Kent N B
Catherine S. Callbeck	Prince Fdward Island	Central Redeque PF I
Marica Ferretti Rarth	Renentiony	Pierrefonds Oue
Marisa Ferretti Barth	Kennehec	Montreal Oue
Thelma J. Chalifoux	Alborta	Morinvillo Alta
Joan Cook		
Ross Fitzpatrick		
The Very Reverend Dr. Lois M. Wilson	Toronto	Toronto Ont
Francis William Mahovlich	Toronto	Toronto Ont
Richard H. Kroft	Manitaha	Winning Man
Douglas James Roche	Edmonton	Edmonton Alta
Joan Thorne Fraser	Do Lorimiar	Montreal Oue
Aurélien Gill	Wallington	Machtaniatch Dointa Plana One
Virianna Davi	Towarto	Toronto Ont
Vivienne Poy B.C.	10f0fil0	. 10f0fff0, Ufft.
Sheila Finestone, P.C.	Montaryme	. Monueal, Que.
Ione Christensen	YUKON TERTILORY	. Willenorse, 1.1.
George Furey	. Newfoundiand and Labrador .	. St. John S, Miu.
Nick G. Sibbeston	Northwest Territories	. FOR SIMPSON, N. W. 1.
Isobel Finnerty John Wiebe		. Burnington, Unt.
John Wiebe	. Saskatchewan	. SWIII CUITEIII, SASK.
Tommy Banks.	Alberta	. Edmonton, Alta.
Jane Cordy	Nova Scotia	. Dartmouth, N.S.
Raymond C. Setlakwe.	The Laurentides	. Thetrord Mines, Que.
Yves Morin	Lauzon	. Quebec, Que.
Elizabeth M. Hubley	Prince Edward Island	. Kensington, P.E.I.
Jim Tunney		
Laurier L. LaPierre		
Viola Léger		
Mobina Š. B. Jaffer		
Jean Lapointe	Saurel	. Magog, Que.
Gerard A. Phalen		
Joseph A. Day		
Michel Biron	Mille Isles	. Nicolet, Que.

ALPHABETICAL LIST

(November 1, 2001)

	Senator	Designation	Post Office Address	Political Affiliation
	THE HONOURABLE			
Adams, Willie		Nunavut	. Rankin Inlet, Nunavut	Lib
Andreychuk, A. Raynell		Regina	. Regina, Sask	PC
Angus, W. David		Alma	. Montreal, Que	PC
Atkins, Norman K		Markham	. Toronto, Ont	PC
		Vancouver South		
Bacon, Lise		De la Durantaye	. Laval, Que	Lib
Banks, Tommy		Alberta	. Edmonton, Alta	Lib
Beaudoin, Gérald-A		Rigaud	. Hull, Que	PC
Biron, Michel		Mille Isles	. Nicolet, Que	Lib
Bolduc, Roch		Gulf	. Sainte-Foy, Que	PC
Bryden, John G		New Brunswick	. Bayfield, N.B	Lib
		Halifax		
Callbeck, Catherine S		Prince Edward Island	. Central Bedeque, P.E.I	Lib
Carney, Pat, P.C		British Columbia	. Vancouver, B.C	
Carstairs, Sharon, P.C.		Manitoba	. Victoria Beach, Man	Lib
Chalifoux, Thelma J		Alberta	. Morinville, Alta	Lib
hristensen, lone		Yukon Territory	. Whitehorse, Y.T	Lib
ochrane, Ethel		Newfoundland	. Port-au-Port, Ntld	PC
		Nova Scotia		
		Newfoundland		
cools, Anne C		Toronto-Centre-York	. Toronto, Ont	Lib
orbin, Eymard Georges	• • • • • • • • • • • • • • • • • • • •	Grand-Sault	. Grand-Sault, N.B	Lib
ordy, Jane		Nova Scotia	. Dartmouth, N.S	Lib
Day, Joseph A		Saint John Kennebecasis	. Hampton, N.B	Lib
De Bané, Pierre, P.C		De la Vallière	. Montreal, Que	Lib
Di Nino, Consiglio		Ontario	. Downsview, Ont	PC
Doody, C. William		Harbour Main-Bell Island	. St. John's, Ntld	PC
yton, J. Trevor		Ontario	. Caledon, Ont.	
airbairn, Joyce, P.C		Lethbridge	. Lethbridge, Alta	Lib
erretti Barth, Marisa		Repentigny	. Pierrefonds, Que	Lib
inestone, Sheila, P.C.		Montarville	. Montreal, Que	Lib
innerty, Isobel		Ontario	. Burlington, Ont	Lib
itzpatrick, Ross		Okanagan-Similkameen	. Kelowna, B.C	Lib
forrestall, J. Michael		Dartmouth and the Eastern Shore	Dartmouth, N.S	PC
raser, Joan Thorne		De Lorimier	. Montreal, Que	Lib
urey, George		Newfoundland and Labrador	. St. John's, Nild	
Gauthier, Jean-Robert		Ottawa-Vanier	. Ottawa, Ont.	
		Wellington		
Grafstein, Jerahmiel S		Metro Toronto	. Toronto, Ont	Lib
Fraham, Bernard Alasda	ir, P.C	The Highlands	. Sydney, N.S	Lib
		Saskatchewan		
lays, Daniel Phillip, <i>Spe</i>	eaker	Calgary	. Calgary, Alta	Lib
lervieux-Payette, Celine	, P.C	Bedford	. Montreal, Que	Lib
		Prince Edward Island		
		British Columbia		
onnson, Janis G	• • • • • • • • • • • • • • • • • • • •	Winnipeg-Interlake	. winnipeg, Man	PC
oyai, Serge, P.C		Kennebec	. Montreal, Que	Lib
		Ontario		
		Rideau		
		Ottawa		
		Fredericton-York-Sunbury		
		South Shore	Holifor N.C.	T !L

	Senator	Designation	Post Office Address	Political Affiliation
	THE HONOURABLE			
		Victoria		
Kroft, Richard H		Manitoba	Winnipeg, Man	Lib
LaPierre, Laurier L		Ontario	Ottawa, Ont	
Lapointe, Jean		Saurel	Magog, Que.	Lib
Lawson, Edward M	• • • • • • • • • • • • • • • • • • • •	Vancouver	Vancouver, B.C	Ind
LeBreton, Marjory	• • • • • • • • • • • • • • • • • • • •	Ontario	Manotick, Ont.	PC
			Moncton, N.B	
			Bathurst, N.B.	
_ynch-Staunton, John	• • • • • • • • • • • • • • • • • • • •	Grandville	Georgeville, Que	PC
Vianeu, Sniriey		Rougemont	Saint-Laurent, Que	
		Toronto		Lib
Milma I ama	• • • • • • • • • • • • • • • • • • • •	Dool Country	Toronto, Ont	PC
VIIIIe, LOIIIa	• • • • • • • • • • • • • • • • • • • •	Peel County		Lib
Morin Vyos	• • • • • • • • • • • • • • • • • • • •	Stalliope St./Diueliose	Quebec, Que	Lib
Murroy Loyell DC	• • • • • • • • • • • • • • • • • • • •	Dokonhom	Quebec, Que	PC
Viuliay, Luwell, F.C	• • • • • • • • • • • • • • • • • • • •	Do Coloborni	Ottawa, Ont.	PC
Nomi, Fleme Claude	• • • • • • • • • • • • • • • • • • • •	Nova Scotia		PC
Doorson I andon	• • • • • • • • • • • • • • • • • • • •	Ontario	Ottawa, Ontario	Lib
				Lib
Phalan Carard A	• • • • • • • • • • • • • • • • • • • •	Nova Scotia	Glace Bay, N.S.	
Pitfield Peter Michael P.	,	Ottawa-Vanier	Ottawa. Ont.	- 1
			ern Ontario Ottawa, Ont	
			Toronto, Ont	
Prud'homma Marcal PC	• • • • • • • • • • • • • • • • • • • •	I a Salla	Montreal, Que	Ind
			Quebec, Que	
Robertson Brenda Mary	• • • • • • • • • • • • • • • • • • • •	Riverview	Shediac, N.B	PC
		New Brunswick		
			Edmonton, Alta	Ind
Rompkey William H. P.C.		Labrador	North West River, La	
Rossiter Fileen		Prince Edward Island	Charlottetown, P.E.I.	PC
St. Germain, Gerry, P.C.		Langley-Pemberton-W	/histler Maple Ridge, B.C	CA
Setlakwe, Raymond C		The Laurentides	Thetford Mines, Que.	Lib
			Fort Simpson, N.W.T	
			North Battleford, Sas	
Spivak. Mira		Manitoba	Winnipeg, Man	PC
Stollery, Peter Alan		Bloor and Yonge	Toronto, Ont	Lib
		Red River		PC
Taylor, Nicholas William		Sturgeon	Chestermere, Alta	
Fkachuk, David		Saskatchewan	Saskatoon, Sask	
			Grafton, Ont	
			Kuujjuaq, Que.	
Wiebe, John		Saskatchewan	0.700	Lib
Vilcon The Very Deveron	d Dr. Lois M	Towarts	Toronto, Ont	

BY PROVINCE AND TERRITORY

(November 1, 2001)

ONTARIO—24

	Senator	Designation	Post Office Address
	THE HONOURABLE		
1	Lowell Murray, P.C.	Pakenham	Ottawa
2	Peter Alan Stollery	Bloor and Yonge	Toronto
3	Peter Michael Pitfield, P.C	Ottawa-Vanier	Ottawa
4	Jerahmiel S. Grafstein		Toronto
5	Anne C. Cools		
6	Colin Kenny	Rideau	Ottawa
7	Norman K. Atkins		
8	Consiglio Di Nino	Ontario	Downsview
9	James Francis Kelleher, P.C.		
10	John Trevor Eyton		
11	Wilbert Joseph Keon		
12	Michael Arthur Meighen		
13	Marjory LeBreton	Ontario	Manotick
14	Landon Pearson		
15	Jean-Robert Gauthier		
16	Lorna Milne	Peel County	Brampton
17	Marie-P. Poulin	Northern Ontario	Ottawa
18	The Very Reverend Dr. Lois M. Wilson	<u>Toronto</u>	
19	Francis William Mahovlich		Toronto
20	Vivienne Poy	Toronto	Toronto
21	Isobel Finnerty	Ontario	Burlington
22	Jim Tunney	Ontario	Grafton
23 24	Laurier L. LaPierre		Ottawa

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

	402220 21				
	Senator	Designation	Post Office Address		
	THE HONOURABLE				
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	E. Leo Kolber Charlie Watt Pierre De Bané, P.C. Roch Bolduc Gérald-A. Beaudoin John Lynch-Staunton Jean-Claude Rivest Marcel Prud'homme, P.C W. David Angus Pierre Claude Nolin Lise Bacon Céline Hervieux-Payette, P.C. Shirley Maheu Lucie Pépin Marisa Ferretti Barth Serge Joyal, P.C. Joan Thorne Fraser Aurélien Gill	Inkerman De la Vallière Gulf Rigaud Grandville Stadacona La Salle Alma De Salaberry De la Durantaye Bedford Rougemont Shawinegan Repentigny Kennebec De Lorimier	Kuujjuaq Montreal Sainte-Foy Hull Georgeville Quebec Montreal Montreal Quebec Laval Montreal Ville de Saint-Laurent Montreal Pierrefonds Montreal Montreal Montreal Montreal Montreal		
19 20 21 22 23	Sheila Finestone, P.C. Raymond C. Setlakwe Yves Morin Jean Lapointe Michel Biron	Montarville	Montreal Thetford Mines Quebec Magog		
24					

SENATORS BY PROVINCE—MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Bernard Alasdair Graham, P.C.	The Highlands	Sydney
1 Bernard Alasdair Graham, P.C	South Shore	Halifax
3 Gerald J. Comeau	Nova Scotia	Church Point
4 Donald H. Oliver	Nova Scotia	Halifax
5 John Buchanan, P.C		
6 J. Michael Forrestall		
7 Wilfred P. Moore	Stanhope St./Bluenose	Chester
8 Jane Cordy	Nova Ścotia	Dartmouth
9 Gerard A. Phalen	Nova Scotia	Glace Bay
0		

NEW BRUNSWICK—10

THE HONOURABLE

1	Eymard Georges Corbin	Grand-Sault	Grand-Sault
2	Brenda Mary Robertson	Riverview	Shediac
3	Noël A. Kinsella	Fredericton-York-Sunbury	Fredericton
4	John G. Bryden	New Brunswick	Bayfield
5	Rose-Marie Losier-Cool	Tracadie	Bathurst
6	Fernand Robichaud, P.C	Saint-Louis-de-Kent	Saint-Louis-de-Kent
7	Viola Léger	New Brunswick	Moncton
8	Joseph A. Day	Saint John Kennebecasis	Hampton
10			

PRINCE EDWARD ISLAND—4

THE HONOURABLE

1	Eileen Rossiter	Prince Edward Island	Charlottetown
2	Catherine S. Callbeck	Prince Edward Island	Central Bedeque
3	Elizabeth M. Hubley	Prince Edward Island	Kensington
4	v		O

SENATORS BY PROVINCE—WESTERN DIVISION

MANITOBA—6

	Senator	Designation	Post Office Address
	THE HONOURABLE		
2 Ja 3 Te	iira Spivak nis G. Johnson errance R. Stratton naron Carstairs, P.C. ichard H. Kroft	Winnipeg-Interlake	Winnipeg St. Norbert Victoria Beach

BRITISH COLUMBIA—6

THE HONOURABLE

1	Edward M. Lawson	Vancouver	Vancouver
2	Jack Austin, P.C	Vancouver South	Vancouver
	Pat Carney, P.C.		
4	Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
5	Ross Fitzpatrick	Okanagan-Similkameen	Kelowna
6	Mobina S.B. Jaffer	British Columbia	North Vancouver

SASKATCHEWAN-6

THE HONOURABLE

1	Herbert O. Sparrow	Saskatchewan	North Battleford
2	A. Raynell Andreychuk	Regina	Regina
3	Leonard J. Gustafson	Saskatchewan	Macoun
4	David Tkachuk	Saskatchewan	Saskatoon
5	John Wiebe	Saskatchewan	Swift Current
6			

ALBERTA-6

THE HONOURABLE

1	Daniel Phillip Hays, Speaker	Calgary	Calgary
2	Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
3	Nicholas William Taylor	Sturgeon	Chestermere
4	Thelma J. Chalifoux	Alberta	Morinville
5	Douglas James Roche	Edmonton	Edmonton
6	Tommy Banks	Alberta	Edmonton

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND-6

	NEWFOUNDLAND—0	
Senator	Designation	Post Office Address
THE HONOURABLE		
C. William Doody	Harbour Main-Bell Islan	nd St. John's
Ethel Cochrane	Newfoundland Labrador	Port-au-Port North West River. Labrador
William H. Rompkey, P.C	Newfoundland	St. John's
George Furey		
NOT	THE TERRITORIES	
NOR	THWEST TERRITORIES—1	
THE HONOURABLE		
Nick G. Sibbeston	Northwest Territories .	Fort Simpson
	NUNAVUT—1	
THE HONOURABLE		
Willie Adams	Nunavut	Rankin Inlet
	YUKON TERRITORY—1	
THE HONOURABLE		
Ione Christensen	Yukon Territory	Whitehorse

November 1, 2001 SENATE DEBATES xiii

ALPHABETICAL LIST OF STANDING. SPECIAL AND JOINT COMMITTEES

(As of November 1, 2001)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair: Honourable Senator Chalifoux	Deputy Chair: Honourable Senator Johnson
Honourable Senators:	

Carney, Christensen, Johnson, Pearson, Sibbeston, *Carstairs Cochrane, Léger, (or Robichaud), Gill, *Lynch-Staunton St. Germain, Chalifoux, (or Kinsella), Hubley, Tkachuk.

Original Members as nominated by the Committee of Selection

Carney, *Carstairs (or Robichaud), Chalifoux, Christensen, Cochrane, Cordy, Gill, Johnson, *Lynch-Staunton (or Kinsella), Pearson, Rompkey, Sibbeston, Tkachuk, Wilson.

AGRICULTURE AND FORESTRY

Chair: Honourable Senator Gustafson Deputy Chair: Honourable Senator Wiebe

Honourable Senators:

Biron, *Lynch-Staunton Stratton, Day, (or Kinsella), *Carstairs Gustafson, Tkachuk, (or Robichaud), Oliver, Tunney, Hubley, Chalifoux, Phalen, LeBreton, Wiebe.

Original Members as nominated by the Committee of Selection

*Carstairs (or Robichaud), Chalifoux, Fairbairn, Fitzpatrick, Gill, Gustafson, LeBreton, *Lynch-Staunton (or Kinsella), Milne, Oliver, Stratton, Taylor, Tkachuk, Wiebe.

BANKING, TRADE AND COMMERCE

Chair: Honourable Senator Kolber Deputy Chair: Honourable Senator Tkachuk Honourable Senators:

Fitzpatrick, Kroft, Oliver,

Furey,

Original Members as nominated by the Committee of Selection

Angus, *Carstairs (or Robichaud), Furey, Hervieux-Payette, Kelleher, Kolber, Kroft, *Lynch-Staunton (or Kinsella), Meighen, Oliver, Poulin, Setlakwe, Tkachuk, Wiebe.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

Chair: Honourable Senator Taylor

Deputy Chair: Honourable Senator Spivak

Honourable Senators:

Kelleher, Adams, Christensen, Sibbeston, Banks, Cochrane, Kenny, Spivak, Buchanan, *Lynch-Staunton Taylor. Eyton, (or Kinsella),

*Carstairs Finnerty,

(or Robichaud),

Adams,

Original Members as nominated by the Committee of Selection

Banks, Buchanan, *Carstairs (or Robichaud), Christensen, Cochrane, Eyton, Finnerty, Kelleher, Kenny, *Lynch-Staunton (or Kinsella), Sibbeston, Spivak, Taylor, Watt.

FISHERIES

Chair: Honourable Senator Comeau **Honourable Senators:**

Deputy Chair: Honourable Senator Cook

Comeau,

*Lynch-Staunton Phalen, (or Kinsella),

Callbeck, Cook,

Mahovlich,

Robertson,

*Carstairs

Jaffer,

Tunney, Watt.

(or Robichaud), Johnson, Meighen,

Original Members as nominated by the Committee of Selection

Adams, Callbeck, *Carstairs (or Robichaud), Carney, Chalifoux, Comeau, Cook, *Lynch-Staunton (or Kinsella), Mahovlich, Meighen, Molgat, Moore, Robertson, Watt.

FOREIGN AFFAIRS

Chair: Honourable Senator Stollery

Honourable Senators:

Deputy Chair: Honourable Senator Andreychuk

Andreychuk, *Carstairs Di Nino,

*Lynch-Staunton

(or Robichaud), Austin,

Grafstein,

(or Kinsella),

Corbin, Bolduc,

Setlakwe,

De Bané,

Graham,

Carney,

Losier-Cool,

Stollery.

Original Members as nominated by the Committee of Selection

Andreychuk, Austin, Bolduc, Carney, *Carstairs (or Robhichaud), Corbin, De Bané, Di Nino, Grafstein, Graham, Losier-Cool, *Lynch-Staunton (or Kinsella), Poulin, Stollery.

HUMAN RIGHTS

Chair: Honourable Senator Andreychuk Deputy Chair: Honourable Senator Finestone

Honourable Senators:

Andreychuk, Cochrane, Joyal, Poy,
Beaudoin, Finestone, Kinsella, Taylor,
*Carstairs Jaffer, *Lynch-Staunton (or Robichaud), (or Kinsella),

Original Members as nominated by the Committee of Selection Andreychuk, Beaudoin, *Carstairs (or Robichaud), Ferretti Barth, Finestone, Kinsella, *Lynch-Staunton (or Kinsella), Oliver, Poy, Watt, Wilson.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chair: Honourable Senator Kroft Deputy Chair: Honourable Senator

Honourable Senators:

Atkins De Bané, Kenny, Milne, Austin, Doody, Kroft, Murray, *Carstairs Forrestall, *Lynch-Staunton Poulin, (or Robichaud), (or Kinsella), Furey, Stollery.

Comeau, Gauthier, Maheu,

Original Members as nominated by the Committee of Selection

Austin, *Carstairs (or Robichaud), Comeau, De Bané, DeWare, Doody, Forrestall, Furey, Gauthier, Kenny, Kroft, *Lynch-Staunton (or Kinsella), Maheu, Milne, Murray, Poulin, Stollery.

LEGAL AND CONSTITUTIONAL AFFAIRS

Chair: Honourable Senator Milne Deputy Chair: Honourable Senator Beaudoin

Honourable Senators:

Andreychuk, Cools, Joyal, Moore,
Beaudoin, Fraser, *Lynch-Staunton (or Kinsella), Pearson,
*Carstairs

*Carstairs

*Lynch-Staunton (or Kinsella), Pearson,
Milne, Rivest.

(or Robichaud),

Original Members as nominated by the Committee of Selection

Andreychuk, Atkins, Beaudoin, Buchanan, *Carstairs (or Robichaud), Cools, Fraser, Grafstein, Joyal, *Lynch-Staunton (or Kinsella), Milne, Moore, Nolin, Pearson.

LIBRARY OF PARLIAMENT (Joint)

Chair: Honourable Senator Bryden **Honourable Senators:**

Deputy Chair:

Beaudoin,

Cordy,

Oliver,

Poy.

Bryden,

Original Members agreed to by Motion of the Senate

Beaudoin, Bryden, Cordy, Oliver, Poy.

NATIONAL FINANCE

Chair: Honourable Senator Murray Honourable Senators:

Comeau,

Finnerty,

Murray,

Banks, Bolduc,

Furey,

Stratton,

*Carstairs

Cools, Doody,

*Lynch-Staunton

Tunney.

(or Robichaud),

Ferretti Barth,

(or Kinsella),

Mahovlich,

Original Members as nominated by the Committee of Selection

Banks, Bolduc, *Carstairs (or Robichaud), Cools, Doody, Finnerty, Ferretti Barth, Hervieux-Payette, Kinsella, Kirby, *Lynch-Staunton (or Kinsella), Mahovlich, Murray, Stratton.

NATIONAL SECURITY AND DEFENCE

Chair: Honourable Senator Kenny Honourable Senators:

Deputy Chair: Honourable Senator Forrestall

Deputy Chair: Honourable Senator Finnerty

(or Robichaud),

Day, Banks,

LaPierre,

Meighen,

*Carstairs

Forrestall,

Kenny,

*Lynch-Staunton (or Kinsella),

Nolin, Wiebe.

Cordy,

Original Members as nominated by the Committee of Selection

Atkins, *Carstairs (or Robichaud), Cordy, Forrestall, Hubley, Kenny, *Lynch-Staunton (or Kinsella), Meighen, Pépin, Rompkey, Wiebe.

VETERANS AFFAIRS

(Subcommittee of National Security and Defence)

Deputy Chair: Honourable Senator Wiebe

Honourable Senators:

Atkins, Kenny, *Lynch-Staunton (or Kinsella), Wiebe.

(or Robichaud), Pépin,

Chair: Honourable Senator Meighen

OFFICIAL LANGUAGES (Joint)

Chair: Honourable Senator Maheu Deputy Chair: Honourable Senators:

Beaudoin, Fraser, Léger, Maheu,
Bolduc, Gauthier, Losier-Cool, Setlatkwe.

Original Members agreed to by Motion of the Senate

Bacon, Beaudoin, Fraser, Gauthier, Losier-Cool, Maheu, Rivest, Setlakwe, Simard.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

Chair: Honourable Senator Austin
Honourable Senator Stratton
Honourable Senators:

Pitfield, Andreychuk, Di Nino, Kroft, Austin, Gauthier. Losier-Cool. Poulin. Bryden, Grafstein, *Lynch-Staunton Robertson, (or Kinsella), *Carstairs Joyal, Rossiter, (or Robichaud), Murray, Stratton.

Original Members as nominated by the Committee of Selection

Andreychuk, Austin, Bryden, *Carstairs (or Robichaud), DeWare, Di Nino, Gauthier, Grafstein, Hervieux-Payette, Joyal, Kroft, Losier-Cool, *Lynch-Staunton (or Kinsella), Murray, Poulin, Rossiter, Stratton.

SCRUTINY OF REGULATIONS (Joint)

Chair: Honourable Senator Hervieux-Payette Deputy Chair:

Honourable Senators:

Bryden,

Hervieux-Payette, Kinsella, Nolin.

Finestone, Jaffer, Moore,

Original Members agreed to by Motion of the Senate

Bacon, Bryden, Finestone, Hervieux-Payette, Kinsella, Moore, Nolin.

SELECTION

Chair: Honourable Senator Rompkey Deputy Chair: Honourable Senator Stratton

Honourable Senators:

Austin, Corbin, Kinsella, Robertson,

*Carstairs Fairbairn, LeBreton, Rompkey,
(or Robichaud), Graham, *Lynch-Staunton Stratton.

(or Kinsella),

Original Members agreed to by Motion of the Senate

Austin, *Carstairs (or Robichaud), Corbin, ĎeWare, Fairbairn, Graham, Kinsella LeBreton, *Lynch-Staunton (or Kinsella), Mercier, Murray.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

Chair: Honourable Senator Kirby Deputy Chair: Honourable Senator LeBreton

Honourable Senators:

Callbeck, Di Nino, Léger, Pépin,

*Carstairs Keon, *Lynch-Staunton Roberston,
 (or Robichaud), (or Kinsella), Roche.

Cook, LeBreton, Maheu,

Morin,

Original Members as nominated by the Committee of Selection

Callbeck, *Carstairs (or Robichaud), Cohen, Cook, Cordy, Fairbairn, Graham, Johnson, Kirby, LeBreton, *Lynch-Staunton (or Kinsella), Pépin, Robertson, Roche.

ON THE PRESERVATION AND PROMOTION OF A SENSE OF CANADIAN COMMUNITY

(Subcommittee of Social Affairs, Science and Technology)

Chair: Honourable Senator
Honourable Senators:

Deputy Chair: Honourable Senator

*Carstairs Cook, Kirby, *Lynch-Staunton (or Robichaud), Cordy, LeBreton, (or Kinsella),

Roberston.

TRANSPORT AND COMMUNICATIONS

Chair: Honourable Senator Bacon Deputy Chair: Honourable Senator Oliver

Honourable Senators:

Adams, *Carstairs Gill, Oliver, (or Robichaud), Gustafson, Spivak, Eyton, LaPierre, Taylor.

Callbeck, Finestone, *Lynch-Staunton

Fitzpatrick, (or Kinsella),

Original Members as nominated by the Committee of Selection

Adams, Angus, Bacon, Callbeck, *Carstairs (or Robichaud), Christensen, Eyton, Finestone, Fitzpatrick, Forrestall, *Lynch-Staunton (or Kinsella), Rompkey, Setlakwe, Spivak.

THE SPECIAL SENATE COMMITTEE ON ILLEGAL DRUGS

Chair: Honourable Senator Nolin

Deputy Chair: Honourable Senator Kenny

Honourable Senators:

*Carstairs Carney, *Lynch-Staunton Nolin. (or Robichaud), (or Kinsella),

Kenny, Kenny, Maheu,

Original Members as agreed to by Motion of the Senate

Banks, *Carstairs (or Robichaud), Kenny, *Lynch-Staunton (or Kinsella), Maheu, Nolin, Rossiter.

THE SPECIAL SENATE COMMITTEE ON THE SUBJECT MATTER OF BILL C-36

Chair: Honourable Senator Fairbairn Deputy Chair: Honourable Senator Kelleher

Honourable Senators:

Andreychuk, *Carstairs Jaffer, Lynch-Staunton,

Bacon, (or Robichaud), Kelleher, Murray,
Beaudoin, Fairbairn, Kenny, Stollery.

Finestone, *Lynch-Staunton Fraser, (or Kinsella),

Original Members as agreed to by Motion of the Senate

Andreychuk, Bacon, Beaudoin, *Carstairs (or Robichaud), Fairbairn, Fraser, Furey, Jaffer, Kelleher, Kenny, *Lynch-Staunton (or Kinsella), Murray, Stollery, Tkachuk.

THE SENATE OF CANADA PROGRESS OF LEGISLATION

(1st Session, 37th Parliament) Thursday, November 1, 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	01/10/25	25/01
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	01/10/25	0	01/11/01		

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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	01/10/23	0	01/10/31	01/11/01	27/01
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	01/10/31	01/11/01	26/01
C-15A	An Act to amend the Criminal Code and to amend other Acts	01/10/23							
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

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
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
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
C-31	An Act to amend the Export Development Act and to make consequential amendments to other Acts	01/10/30							
C-32	An Act to implement the Free Trade Agreement between the Government of Canada and the Government of the Republic of Costa Rica	01/10/30							
C-34	An Act to establish the Transportation Appeal Tribunal of Canada and to make consequential amendments to other Acts	01/10/30							

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	referred back to Committee 01/10/23		
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		

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No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
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					
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	pursuant to Speaker	hdrawn Commons 's Ruling 16/12
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	01/10/31	4			
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	01/10/31	Transport and Communications					

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

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