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**Thursday, April 14, 2005**



THE HONOURABLE DANIEL HAYS  
SPEAKER

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## THE SENATE

Thursday, April 14, 2005

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

Prayers.

### SENATORS' STATEMENTS

#### THE SENATE

##### REMARKS WITHDRAWN

**Hon. Gerry St. Germain:** Honourable senators, I rise today to withdraw the remarks I made during Question Period yesterday.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I thank Senator St. Germain.

##### COMMENTS OF LEADER OF THE GOVERNMENT

**Hon. David Tkachuk:** Honourable senators, yesterday in this chamber, I listened again to a lecture on Senate rules by the Leader of the Government in the Senate. The lecture, for those who missed it, had to do with Senators' Statements. Senator Austin noted that statements of fact are what are supposed to be in statements here in the Senate, not statements of political argument. This he did in Question Period yesterday in an exchange with Senator St. Germain.

I did not know that facts and political argument were mutually exclusive, though I understand that for senators opposite that is often, if not always, the case. Nevertheless, many honourable senators may have noticed how often lately I have benefited from the wisdom opposite, but not this time.

Rule 22(4) of the *Rules of the Senate* states:

When "Senators' Statements" has been called, Senators may, without notice, raise matters they consider need to be brought to the urgent attention of the Senate. In particular, Senators' Statements should relate to matters which are of public consequence and for which the rules and practices of the Senate provide no immediate means of bringing the matters to the attention of the Senate.

Furthermore, the Senate rules state that:

Matters raised during this period shall not be subject to debate.

Honourable senators, I realize that corruption is not considered a matter of public consequence for many senators opposite, but it is for me, and it is for my party, and it is for the people of Canada. That is a fact.

I will clarify another matter raised by Senator Austin. He objected to the fact that I made my apology during the period in the chamber allotted to Senators' Statements, an apology that he asked for at the last sitting of the Senate in March, an apology, I might add, that he himself asked for during Senators' Statements. We all know that, and, as Senator Austin surely knows, they are not subject to debate. I had no opportunity to

make my apology when he asked for it. However, I did so at the earliest opportunity. Furthermore, the error for which I was asked to apologize was made during Inquiries, which allows for full and open debate. Senator Austin did not ask for an apology then, nor did he ask for one later in the day on March 23, during the budget, inquiry when every one of the senators opposite could have entered the debate.

Honourable senators, Senator Austin expressed shame that false statements and ridiculous portrayals of Canada had taken place in front of the delegates in the chamber from Malaysia. I agree it is a shame, but I did not cause that shame. The party of the government that the members opposite belong to caused the shame.

[Translation]

### WORLD HEALTH DAY

**Hon. Lucie Pépin:** Honourable senators, as we heard yesterday, World Health Day was celebrated on April 7. In Ottawa, this event was marked by the release of the 2005 *World Health Report*. This year's report is focused on maternal and child mortality. It was my privilege to co-host this meeting with the Honourable Aileen Carroll and Professor Mirembe of Zimbabwe.

The report is hardly reassuring. It tells us that every year more than half a million women die during pregnancy or childbirth and that almost 11 million children die. The remedies to save those lives are available, but they are beyond the means of most developing countries.

The first stage of life is birth. The first universal human right should be the right to give birth and to be born without risk. Our own experience in Canada has proven that it is possible to make maternity without risk a universal right.

We have been reflecting for a long time on ways to help poor countries. In my opinion, we could deal with several development challenges if we could ensure the survival of mothers and children around the world. No society can hope to progress without healthy mothers and children. When a mother dies, her contribution to society is lost and the future of her children is compromised. It is up to the international community to provide financial support to the countries that are striving, for the good of each mother and each child, to gain access to vital health interventions.

Canada is already doing a great deal through CIDA. This month, the Minister of International Cooperation announced an additional investment of \$90 million for maternal and child health programs. This funding demonstrates Canada's commitment to improving the health of mothers and newborns. This same commitment should prompt Canada to take a leadership role in making this issue a priority.

To reflect our values, Canada can do something to ensure that the deaths of mothers and children are no longer ignored or shrugged off. By dedicating this year's World Health Day to mothers and children, the World Health Organization is trying to convince governments and the whole international community to make maternal and child health a priority.

Honourable senators, I invite you to help make sure that this appeal is clearly heard.

[English]

### JOURNALISTS KILLED IN LINE OF DUTY

**Hon. Joan Fraser:** Honourable senators, I rise again this year to draw your attention to the 56 journalists around the world who were killed last year because of their work. It was the highest number of reporters killed in more than a decade, according to the Committee to Protect Journalists. We cannot bring them back to life, but we can honour them. I would like to tell you who they were.

In Bangladesh, Manik Saha, Humayun Kabir, Kamal Hossain; in Brazil, José Carlos Araújo; in the Dominican Republic, Juan Emilio Andújar Matos; in Gambia, Deyda Hydara; in Haiti, Ricardo Ortega; in India, Veeraboina Yadagiri and Asiya Jeelani; in Iraq, 23 journalists: Duraid Isa Mohammed, Safir Nader, Haymin Mohamed Salih, Ayoub Mohamed, Gharib Mohamed Salih, Semko Karim Mohyideen, Abdel Sattar Abdel Karim, Nadia Nasrat, Ali Abdel Aziz, Ali al-Khatib, Burhan Mohamed Mazhour, Assad Kadhim, Waldemar Milewicz, Mounir Bouamrane, Rashid Hamid Wali, Shinsuke Hashida, Kotaro Ogawa, Mahmoud Hamid Abbas, Enzo Baldoni, Mazen al-Tumeizi, Karam Hussein, Dina Mohammed Hassan and Dhia Najim; in Israel and the Occupied Territories, Mohamed Abu Halima; in the Ivory Coast, Antoine Massé; in Mexico, Francisco Javier Ortiz Franco and Francisco Arratia Saldierna; in Nepal, Dekendra Raj Thapa; in Nicaragua, Carlos José Guadamuz and María José Bravo; in Pakistan, Sajid Tanoli; in Peru, Antonio de la Torre Echeandía; in the Philippines, Rowell Endrinal, Elpidio Binoya, Rogelio Mariano, Arnel Manalo, Romeo Binungcal, Eldy Sablas, Gene Boyd Lumawag and Herson Hinolan; in Russia, Adlan Khasanov and Paul Klebnikov; in Saudi Arabia, Simon Cumbers; in Serbia and Montenegro, Dusko Jovanovic; and in Sri Lanka, Aiyathurai Nadesan, Bala Nadarajah Iyer and Lanka Jayasundara.

Honour them, honourable senators; they died for us.

• (1340)

[Translation]

### INTERNATIONAL DAY OF LA FRANCOPHONIE

**Hon. Pierrette Ringuette:** Honourable senators, during the last week of March, I was a guest of the Massachusetts State Senate during the adoption of a resolution concerning the International Day of La Francophonie.

This resolution refers to the vibrant francophone community and its contribution to the State of Massachusetts, as well as the economic activity between all the New England states and our Atlantic provinces. The Massachusetts senators asked me to table a copy of their resolution.

[ Senator Pépin ]

[English]

### LAW DAY

**Hon. Mobina S. B. Jaffer:** Honourable senators, I rise today to draw your attention to Law Day across Canada. Marking the anniversary of the Charter of Rights and Freedoms, this year Law Day celebrates the twentieth anniversary of the equality rights in section 15 of the Charter. The theme, Access to Justice, is a theme I strongly endorse, a theme that reflects the right of every Canadian to have equal access to information about the laws and the legal institutions of Canada.

Public legal information and education activities involving hundreds of lawyers have been organized across Canada by the Canadian Bar Association, the CBA. Activities include courthouse tours, newspaper supplements, poster contests, phone-a-lawyer, career panels and fun runs to raise money for charities. The aim is to make the law more accessible to all Canadians and to expand their knowledge of their rights within Canada's justice system.

We can all be proud of the work that the Canadian Bar Association does for the citizens of Canada. The activities include law reform, legal aid, access to justice and international development.

Nobody tackles national law reform like the Canadian Bar Association. The Canadian Bar Association makes more than 60 submissions to and appearances before the federal government each year, dealing with everything from competition law to custody and access to anti-marijuana laws.

The Canadian Bar Association helped change the government's proposed money-laundering legislation to protect lawyer-client privilege.

The Canadian Bar Association has been championing legal aid reform for many years, demanding that federal and provincial governments fund and maintain a healthy legal aid system.

No aspect of the Canadian bar's work does more for Canada's image abroad, particularly in the field of human rights, than the activities of the International Development Committee, the IDC. The International Development Committee educates jurists, strengthens the rule of law and improves access to justice in countries where these services are needed most. The IDC's mission is to alleviate poverty and injustice through the rule of law. The programs are in countries such as South Africa, Bangladesh, the Caribbean and China.

Probably the Canadian Bar Association's greatest accomplishment has been in South Africa, a nation that has relied on Canada's help to remake itself. Our Charter of Rights and Freedoms was the model for their new constitution.

Partnering with South Africa-based Legal Resources Centre, the IDC has helped support numerous successful legal challenges by the Law Resources Centre. One such victory earned HIV-positive, pregnant women the right to receive medicine the government was refusing to distribute.

In China, thanks to the Canadian Bar Association, the Chinese defence lawyers presented Chinese National Law Day on December 18, 2004. The activity helped 50,000 Chinese citizens.

The Canadian Bar Association provides a unique service for Canadians through its public interest advocacy, public education programs such as Law Day, and its international outreach.

I offer my encouragement and support to the Canadian Bar Association, as well as to the many legal groups here in Ottawa and across Canada in their endeavours on Law Day. Please join me in extending best wishes to all involved for a successful Law Day in 2005.

## NOVA SCOTIA

### EVENTS IN HALIFAX

**Hon. Terry M. Mercer:** Honourable senators, it has been quite a month for the City of Halifax.

Halifax International Airport was named the number one airport in the Americas, number one for overall passenger satisfaction among airports handling fewer than 5 million passengers a year and rated the world's best airport for domestic travel. The annual survey was conducted by the Airports Council International and the International Air Transport Association.

Halifax has also been named the host city in 2010 for the American Association of Port Authorities, which brings together members of the alliance of ports of Canada, the Caribbean, Latin America, and the United States. The event will bring about 700 port officials to the city.

Honourable senators, I am sure you will join me in congratulating the city of Halifax, Nova Scotia, for its outstanding recognitions in the past month, and I encourage you to come and enjoy Canada's best airport, Canada's best port, Canada's finest city and party town east. I look forward to reporting more in the days ahead.

[Translation]

## ROUTINE PROCEEDINGS

### INTERNATIONAL DAY OF LA FRANCOPHONIE

#### RESOLUTION TABLED

**Hon. Pierrette Ringuette:** Honourable senators, I wish to table a copy of the resolution adopted by the Senate of Massachusetts concerning the International Day of La Francophonie.

[English]

### KYOTO PROTOCOL

#### PLAN OF COMPLIANCE TABLED

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both

official languages, a document entitled "Moving Forward on Climate Change: A Plan for Honouring our Kyoto Commitment."

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### EIGHTH REPORT OF COMMITTEE PRESENTED

**Hon. George J. Furey,** Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, April 14, 2005

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

### EIGHTH REPORT

Your Committee recommends that the following funds be released for fiscal year 2005-06.

#### Aboriginal Peoples (Legislation)

Professional and Other Services	\$ 17,300
Transport and Communications	\$ 17,740
Other Expenditures	\$ 1,500
<b>Total</b>	<b>\$ 36,540</b>

(includes funds for conference attendance)

#### Banking, Trade and Commerce (Legislation)

Professional and Other Services	\$ 22,000
Transport and Communications	\$ 0
Other Expenditures	\$ 8,000
<b>Total</b>	<b>\$ 30,000</b>

GEORGE J. FUREY  
Chair

**The Hon. the Speaker:** When shall this report be taken into consideration?

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

• (1350)

[Translation]

## ABORIGINAL PEOPLES

### BUDGET—REPORT OF COMMITTEE ON STUDY OF INVOLVEMENT OF ABORIGINAL COMMUNITIES AND BUSINESSES IN ECONOMIC DEVELOPMENT ACTIVITIES PRESENTED

**Hon. Gerry St. Germain,** Deputy Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Thursday, April 14, 2005

The Standing Senate Committee on Aboriginal Peoples has the honour to table its

#### FIFTH REPORT

Your Committee, which was authorized by the Senate on Thursday, November 4, 2004, to examine and report on the involvement of Aboriginal communities and businesses in economic development activities in Canada, respectfully requests the approval of funds for fiscal year 2005-2006.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

GERRY ST. GERMAIN, P.C.  
*Deputy Chair*

(For text of budget, see today's Journals of the Senate, Appendix A, p. 732.)

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

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

[English]

#### FINANCIAL ADMINISTRATION ACT CANADA SCHOOL OF PUBLIC SERVICE ACT OFFICIAL LANGUAGES ACT

#### BILL TO AMEND—REPORT OF COMMITTEE

**Hon. Joseph A. Day**, Deputy Chair of the Standing Senate Committee on National Finance, presented the following report:

Thursday, April 14, 2005

The Standing Senate Committee on National Finance has the honour to present its

#### SEVENTH REPORT

Your Committee, to which was referred Bill C-8, An Act to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act, has in obedience to the Order of Reference of Monday, March 21, 2005, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

JOSEPH A. DAY  
*Deputy Chair*

[ Senator St. Germain ]

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

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

[Translation]

#### FOREIGN AFFAIRS

#### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL—REPORT OF COMMITTEE ON STUDY OF MATTERS RELATED TO AFRICA PRESENTED

**Hon. Consiglio Di Nino**, Deputy Chair of the Standing Senate Committee on Foreign Affairs, presented the following report:

Thursday, April 14, 2005

The Standing Senate Committee on Foreign Affairs has the honour to present its

#### FOURTH REPORT

Your Committee, which was authorized by the Senate on Wednesday December 8, 2004 to examine and report on the development and security challenges facing Africa; the response of the international community to enhance that continent's development and political stability; Canadian foreign policy as it relates to Africa, respectfully requests that it be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its study, and to travel outside Canada for the purposes of such study.

Pursuant to section 2(1)(c) of Chapter 3:06, of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

CONSIGLIO DI NINO  
*Deputy Chair*

(For text of budget, see today's Journals of the Senate, Appendix B, p. 740.)

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

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

BUDGET AND AUTHORIZATION TO ENGAGE  
SERVICES AND TRAVEL—REPORT OF COMMITTEE  
ON STUDY OF ISSUES RELATED  
TO FOREIGN AFFAIRS PRESENTED

**Hon. Consiglio Di Nino**, Deputy Chair of the Standing Senate Committee on Foreign Affairs, presented the following report:

Thursday, April 14, 2005

The Standing Senate Committee on Foreign Affairs has the honour to present its

FIFTH REPORT

Your Committee, which was authorized by the Senate on Thursday, October 21, 2004, to examine such issues as may arise from time to time relating to foreign relations generally, respectfully requests that it be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its study, and to travel within and outside Canada for the purposes of such study.

Pursuant to section 2(1)(c) of Chapter 3:06 of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

CONSIGLIO DI NINO  
*Deputy Chair*

(For text of budget, see today's Journals of the Senate, Appendix C, p. 747.)

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

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

[English]

CANADA-CHINA LEGISLATIVE ASSOCIATION

SEVENTH BILATERAL MEETING,  
OCTOBER 29-NOVEMBER 9, 2004—REPORT TABLED

**Hon. Joseph A. Day:** Honourable senators, I have the honour to table, in both official languages, the report of the Canada-China Legislative Association concerning the seventh bilateral meeting held in Beijing, Chongqing, Hong Kong and Shenzhen, from October 29 to November 9, 2004.

[Translation]

ASIA-PACIFIC PARLIAMENTARY FORUM

THIRTEENTH ANNUAL MEETING,  
JANUARY 10-13, 2005—REPORT TABLED

**Hon. Joseph A. Day:** Honourable senators, I have the honour to table, in both official languages, the report of the 13th annual meeting of the Asia-Pacific Parliamentary Forum, which was held in Ha Long City, Vietnam, from January 10 to 13, 2005.

RULES, PROCEDURES AND  
THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO ALLOW REINTRODUCTION OF  
BILLS FROM ONE PARLIAMENTARY SESSION TO NEXT

**Hon. Céline Hervieux-Payette:** Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament study and make the necessary recommendations on the advisability of amending Senate practice so that bills tabled during a parliamentary session can be reintroduced at the same procedural stage in the following parliamentary session with a view to including, in the *Rules of the Senate*, a procedure that already exists in the House of Commons and would increase the efficiency of our parliamentary process.

• (1400)

[English]

QUESTION PERIOD

JUSTICE

AIR INDIA BOMBING—  
JUDICIAL INQUIRY INTO INVESTIGATION

**Hon. A. Raynell Andreychuk:** Honourable senators, at yesterday's sitting of the Senate time for the Question Period expired, so I raise the issue today. The Honourable Leader of the Government in the Senate indicated that he disagreed with me on the methodology for the inquiry into the Air India disaster and made a comment that I found rather disturbing. The leader said:

It is an interesting issue. The Air India disaster occurred in 1985. The work by security agencies and police that took place between 1985 and 1993 was under the authority of a previous government.

I find that comment bewildering, at best. In my opinion, it does not matter which government was in place at the time. I can assure the house that senators on this side believe that a full and fair investigation should take place whatever government was in place at the time and that the lives of people should count more than the survival of a political party. Therefore, I would ask the honourable leader to explain his comments as to why that might be an inhibiting factor for an inquiry.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I appreciate the question and I will answer it in this way: An inquiry would not have access to the cabinet records and other cabinet secrets of the Mulroney government without the permission of the former Prime Minister, the Right Honourable Brian Mulroney. Therefore, it is one of many issues that has to be examined to determine whether an inquiry would expose any information that is currently unknown. That is why this side believes it appropriate for an eminent person whose credibility would not likely be challenged to advise the government on the efficacy of launching a public inquiry.

**Senator Andreychuk:** It was unfair to comment on the record that because it occurred under a previous government, that would be, somehow, an inhibiting factor to an inquiry. Now I am hearing that the government has not looked into that issue. Even when governments do not change, there is sometimes difficulty obtaining cabinet documents, as we have discovered through previous inquiries. This is nothing unusual. I would suggest that it would be in the best interests of the families, of security and safety and of the Canadian public that there be an immediate inquiry.

**Senator Austin:** Honourable senators are aware that the present government has cooperated fully with both the Arar inquiry and the Gomery inquiry in making confidential documents available to those commissions so that they may best carry out their work.

The issue has nothing to do with bringing justice and support to the families. I do not believe we differ in wanting to meet the tests of fairness for those families with respect to all the incidents that followed from the Air India tragedy. It is a public policy question. Before the government enters into an inquiry process, it wants to ensure that the money would be well spent and that information about the investigation that is unknown might be made known.

**Senator Andreychuk:** I have a final plea: Justice delayed is justice denied. We both know that in this case justice has been a long time coming. The perception of justice is as important as whether justice was done in the court proceedings. We must continue to examine our processes because we cannot simply say that we need to know whether all avenues were canvassed. Now that the court case has finally reached its first determination, it would be an appropriate time to examine our processes to know whether they are adequate so as to avoid a repeat. One day's delay could be fatal.

**Senator Austin:** Honourable senators, Senator Andreychuk may not be aware that the British Columbia Court of Appeal has extended by 30 days the time to apply for appeal. Therefore, the government believes that it is not appropriate to take further steps in the direction of an inquiry or of appointing an eminent person until the legal process is final.

## THE ENVIRONMENT

### KYOTO PROTOCOL—PLAN OF COMPLIANCE

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, yesterday the federal government released its greenhouse gas abatement plan called, "Moving Forward on Climate Change," which outlines its plan to meet Canada's Kyoto

targets by 2012. Unfortunately, the plan appears incomplete because it does not comprehensively outline how this government will meet its targets or what the real cost will be to Canadian taxpayers. Could the Leader of the Government in the Senate please explain why it did not outline in more detail the plan to comply with the Kyoto Protocol and what the real cost of the plan will be to Canadian taxpayers? Canadians deserve to know.

**Hon. Jack Austin (Leader of the Government):** I thank the Honourable Senator Stratton for his interest in the government's announcement yesterday with respect to its Kyoto plan. I also appreciate the fact that the critic for the Conservative Party in the other place, MP Bob Mills, stated publicly that his party supports the Kyoto process.

With respect to the specific question, all of the costs cannot be made known. However, the federal government has made known its role with respect to its working relationship with the provinces in its partnership plan and with respect to the way in which the federal government will work with industry and consumers to realize the Kyoto targets.

The plan is a strategic process, which has had a very good reception from constituencies concerned with balancing a sustainable environment and a progressive, productive and growing economy.

**Senator Stratton:** I will check Bob Mills' quote on the matter because no one on this side believes that for one minute.

The government's failings on the climate change issue bring to mind the comment once made by the current Minister of Public Works and Government Services Canada. He said:

This is a government that could not organize a two car funeral, let alone implement a Kyoto agreement in terms of domestic engagement within Canada.

The source is, of course, Mr. Scott Brison, who made this remark in the House of Commons on December 10, 2002.

After years and years of dithering and delay, it is now clear that the government's plan fails to provide an achievable approach toward the climate change issue. It fails to provide a clear plan to promote energy conservation, transitional fuels and alternative energies.

Could the Leader of the Government in the Senate please account for these failings? Are these failings a further confirmation of what the leader's cabinet colleague, the Minister of Public Works and Government Services, once gave of this Liberal government's general incompetence in the matter?

My point in raising this matter is not the hope of receiving a cute phrase in reply. The point is this: How long has it taken the government to bring this initiative forward? How many years have the Liberals been in government? How long ago was the Kyoto Protocol signed, and how long has it taken from that date to make this announcement?



**Senator Austin:** On the contrary, it has nothing to do with the basic question. The basic question is how to achieve a growing and productive Canadian economy while preserving our environment and that of the world community. In that way, the costs of the environment do not detract from our economic progress as a country and as a society.

• (1410)

Honourable senators, Senator Stratton quoted Minister Scott Brison when he was not a minister in any government. I can assure you that the minister is very happy today with the Kyoto plan. It has met his concerns. I can demonstrate that further, should Senator Stratton wish me to do so.

While I am on my feet, I would reply to a question that Senator Stratton asked me with respect to the Titan IV rocket trajectory. The answer to the question is, as I said: The Government of Canada learned of this matter and communicated that information to the Government of Newfoundland and Labrador.

If I may, honourable senators, to satisfy Senator Stratton, I would refer to *The Toronto Star* of today, a column by Andrew Mills who quotes Bob Mills as saying:

...a Conservative government would remain true to Canada's Kyoto commitment to cut greenhouse gas emissions by 6 per cent of 1990 levels over the years 2008-2012.

Senator Kinsella asked: What is wrong with that? I cited that with approval.

#### NEWFOUNDLAND AND LABRADOR—RELIABILITY OF WEATHER FORECASTING AND STORM TRACKING

**Hon. Ethel Cochrane:** Honourable senators, my question for the Leader of the Government in the Senate concerns the quality and the reliability of Environment Canada's weather forecasting in my province.

A storm surge last month along the east coast of the province resulted in many millions of dollars in damage, but, thankfully, did not claim any lives. Residents of the affected communities, as well as Newfoundland's Director of Emergency Operations, Mr. Fred Hollett, said he did not receive adequate advance warning of the storm from Environment Canada.

In light of last week's storm, could the Leader of the Government in the Senate tell us if Environment Canada will review this lack of proper public notification?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I will be pleased to send Senator Cochrane's statement to the minister and ask for a review.

**Senator Cochrane:** Thank you. Recently, there have been many complaints within my province regarding the quality of Environment Canada's storm tracking.

In a cost-saving measure two years ago, the federal government moved Newfoundland's regional forecasting operations to Halifax and reduced the responsibility of the Gander weather office to marine forecasting only. North Atlantic weather conditions are notorious for their unpredictability and their severity. Therefore, safety issues must be of the utmost importance for those on the land and on the sea.

Could the Leader of the Government in the Senate tell us if recent events will lead the federal government to rethink this decision and assess whether it made the right decision in moving most of Newfoundland's weather forecasting out of the province?

**Senator Austin:** Honourable senators, I certainly will add that comment by Senator Cochrane to the submission that I make to the minister.

#### HEALTH

##### TEST KITS CONTAINING MISLABELLED STRAIN OF INFLUENZA—RESPONSIBILITY FOR TESTING WORKERS IN AFFECTED LABS

**Hon. Wilbert J. Keon:** Honourable senators, my question is for the Leader of the Government in the Senate.

We learned on Tuesday that up to 5,000 labs worldwide received test kits containing mislabelled samples of a strain of influenza known as A/H2N2. This virus was responsible for an outbreak of Asian flu in 1957 that killed about 1 million people.

We must congratulate Dr. David Butler-Jones, of our Public Health Agency, who was the first in the world to alert the World Health Organization to the mistake. All the labs that received samples of this virus, including 20 in Canada, were asked to destroy them.

While the risk is low, if this virus somehow works its way into the community, the results could be quite deadly. The A/H2N2 virus has not circulated among humans since 1968; therefore, most people born after that date would have little or no immunity.

Who is responsible for testing workers in the affected labs and any family members who have exhibited flu-like symptoms in the last few weeks to determine if they have been exposed to this virus? Is it Health Canada or the local authorities?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, may I first comment with respect to the superb work done by the lab in Vancouver in raising the concern and with respect to the diagnostic and analytical work done by the public health lab in Winnipeg in making the determination that this was, in fact, an A/H2N2 virus. That allowed some 5,000 labs around the world to be notified of the mislabelling, and, hopefully, all of them have taken proper corrective action. I think Canada's public health capacity has won a gold star from the World Health Organization in this particular situation.

I do not have a specific answer to the honourable senator's well-focused question. I would imagine, and perhaps he can inform us better than anyone, that the local authorities would be on the alert for any signs of flu in any of the workers who could possibly have been in contact with these test kits. The federal government does not have the reach and the scope that might be required in the local community, but I understand Dr. Butler-Jones has sent everyone a request for all possible information, should any become available.

#### REVIEW OF PROCEDURE SURROUNDING IMPORTATION OF VIRUS SAMPLES

**Hon. Wilbert J. Keon:** Honourable senators, while this incident may be the result of an accident, it reminds us of the need for continued vigilance and how deadly this virus is. Of course, there is always the risk of terrorism and a pandemic.

The World Health Organization has requested that labs throughout the world review their safety procedures in handling influenza viruses. Could the Leader of the Government in the Senate tell us that Health Canada has requested that Canadian laboratories and their workers review biosafety measures? At the same time, would he inquire and tell us if this incident has prompted Health Canada to review the procedures surrounding the importation of virus samples into our country?

**Hon. Jack Austin (Leader of the Government):** I will seek the specific information, honourable senators.

#### INTERNATIONAL TRADE

##### BOVINE SPONGIFORM ENCEPHALOPATHY— DISCUSSIONS WITH UNITED STATES CATTLE INDUSTRY ASSOCIATIONS

**Hon. Leonard J. Gustafson:** Honourable senators, the National Meat Association of the United States, which represents meat packers, processors, equipment manufacturers and food suppliers in that country, has made a compelling case for how its members have suffered as the result of the BSE ban, which it wants lifted. Indeed, it has filed an appeal to be an intervener in the *R-CALF vs. the United States Department of Agriculture* case in the Ninth Circuit Court.

Would the Leader of the Government in the Senate please outline the steps that his government has taken to have a dialogue with these groups? Is there any ongoing, formal sharing of information?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I will have to make inquiries.

• (1420)

**Senator Gustafson:** The importance of this is that it represents about \$38 million every week; in fact, the trade of beef in North America with Japan is greater than the trade in automobiles. The significance of the situation is such that government-to-

government exchanges are not enough; exchanges with the various industry players who are trying to get that border open must take place.

#### AGRICULTURE AND AGRI-FOOD

##### BOVINE SPONGIFORM ENCEPHALOPATHY— CLASS-ACTION SUIT BY COALITION OF CANADIAN FARMERS

**Hon. Leonard J. Gustafson:** I have a supplementary question for the government leader. My question relates to the news release that the Government of Canada is being sued in this matter. I happen to believe the class-action suit is a mistake, because we are trying to get the border open. A lawsuit gives fodder to the people who are trying to keep the border closed.

We learned this morning in committee from the cattlemen's association of Quebec that the class-action suit was not launched by the Canadian Cattlemen's Association but, rather, by a coalition of Canadian farmers. Has the government made that clear to the public? In my opinion, the government should clarify the situation.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I agree with the honourable senator that this is a very important issue. I concur that the commencement of a class-action suit of the kind the honourable senator has referred to — and I have the same information; statement of claims have been filed in four provinces — would provide the R-CALF group with another basis for obtaining delay in the opening of the border.

My information is the same as the honourable senator's, that is, that the suit has not been launched by a recognized national group. However, the Government of Canada has not received a statement of claim; it has seen the same report, however. We are awaiting service in order that we can move as quickly as possible to deal with this particular attempt to launch a legal proceeding.

With respect to the other part of the honourable senator's question, I also want to join with him. I know that the American Meat Institute, which represents meat packers and processors in the United States, has been aggressive in the courts of the United States seeking to assist in the opening of the border and to uphold the ruling of the United States Department of Agriculture.

##### BOVINE SPONGIFORM ENCEPHALOPATHY—AID TO CATTLE INDUSTRY—CULLING OF OLDER ANIMALS

**Hon. Gerry St. Germain:** Honourable senators, I believe that during the parliamentary break an agricultural package was put forward. If my recollection is accurate, \$195 million went to the cattle sector. My question to the Leader of the Government in the Senate is this: Has any further consideration been given to the rationalization of older cattle?

Given the lawsuit that has been referred to, it is imperative that we rid ourselves of the cattle that may have been subject to the feed system that caused the problem. The rationalization of the herd refers to older cows in cow-calf operations. There was

quite a bit of publicity at the time the \$195 million went out that the cow-calf operators are still suffering egregiously from the effects of the closure of the border. Can the leader enlighten us on that?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, the government, on March 29, announced an additional \$1 billion in immediate cash assistance to help Canadian farmers with record-low farm incomes. That announcement was made on the basis that the standard 60-40 formula would be applied by the provinces. In other words, there is a long history of both the federal government and the provinces contributing to farm assistance on the basis of 60-40.

With respect to the specific question, the government is actively consulting with industry, both producers and packers, to determine which program would best enable their respective interests to be served. At this time, I can tell the honourable senator no more.

### RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

#### TESTIMONY OF WITNESSES BEFORE AGRICULTURE AND FORESTRY COMMITTEE RESULTING IN THEIR DISMISSAL—REQUEST FOR INFORMATION

**Hon. Noël A. Kinsella (Leader of the Opposition):** Honourable senators, I have a question for the Chairman of the Standing Senate Committee on Rules, Procedures and the Rights of Parliament. I wonder whether the honourable senator and his colleagues on that committee could examine the committee records with reference to a letter that I am advised was sent to the committee by Dr. Shiv Chopra, Margaret Haydon and Gérard Lambert, or on their behalf.

As honourable senators will recall, those three individuals, who were employed by Health Canada but have subsequently been fired, gave valuable testimony before the Standing Senate Committee on Agriculture and Forestry with respect to rBST. Honourable senators will also recall the concern that their employer would act in a retaliatory way as a result of their testimony. That concern, in and of itself, caused a question of privilege to be raised in the Senate, and the matter was looked at by the Rules Committee a little while ago. That firing is subject to arbitration before the appropriate labour relations board.

However, the Treasury Board appears to be delaying its case before that board. The government's lawyer, as employer, is now not available until next fall. Dr. Chopra, Ms. Haydon and Mr. Lambert are being placed at a great disadvantage.

I am not aware of the facts, but the Rules Committee, according to the information I have, has been approached by these three individuals, who appeared before the Agriculture and Forestry Committee and gave testimony with the understanding that they would be protected by parliamentary privilege. The three individuals at the centre of this matter have been fired. They say they have contacted the Rules Committee but that they have not heard back from the committee.

I would ask the honourable chair of the Rules Committee to review the committee records to determine whether the committee did, indeed, receive the communication and whether a reply is forthcoming.

**Hon. David P. Smith:** We will undertake to do that. As Senator Kinsella is aware, as I believe are all senators, we are trying to finalize our report on the code of conduct. A number of us are resolved to try to do that next week, but I can assure the honourable senator that we will look into the matter that he has raised here today.

#### RULES GOVERNING USE OF SENATORS' STATEMENTS—REQUEST FOR REVIEW

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I should like to ask a question of the Chairman of the Standing Committee on Rules, Procedures and the Rights of Parliament.

Would the chairman look into the question of the use of Senators' Statements? When I was chair of the committee, it had not been contemplated that Senators' Statements would be used for a unilateral political statement. It was contemplated that, as Senator Tkachuk has said, the section under Inquiries would create the correct format for debate one way or another.

• (1430)

It troubles me that, if we are to deal with political issues under Senators' Statements, the use of Senators' Statements should be amended to allow a response or, alternatively, Senators' Statements should be used for announcements.

I do not have a quarrel with Senator Tkachuk about the description of how Senators' Statements are being used at the moment. Nothing in the rules states what a senator is entitled to say under Senators' Statements. I wonder whether procedurally we might find a better way to allow that practice and to allow a political debate in a more balanced fashion. I would appreciate the honourable senator taking that suggestion under consideration with the committee.

**Hon. David P. Smith:** Honourable senators, I will take the question as notice of a request to review that matter. We do have a number of outstanding items. Some time ago it was decided that we would not deal with other matters until we had completed our report on the code of conduct. For some reason, it is taking quite a while to get there, but we are getting there, and we hope to deal with these other pending matters soon.

[Translation]

#### DELAYED ANSWER TO ORAL QUESTIONS

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I have the honour of presenting a delayed answer to oral questions raised in the Senate on March 21, 2005, by Senator Andreychuk, regarding fraudulent documents.

## CITIZENSHIP AND IMMIGRATION

### INTERCEPTION OF FRAUDULENT DOCUMENTS

*(Response to questions raised by Hon. A. Raynell Andreychuk on March 21, 2005)*

*Does the government have an estimate of the number of fake documents that are not being intercepted and are making their way into the hands of fraudulent claimants?*

The government does not have an estimate of the number of fraudulent documents in circulation that are not detected.

*In other words, is the government tracking this issue?*

The Canada Border Services Agency tracks the number of improperly documented and undocumented persons arriving in Canada. The Migration Integrity Officer Program and the December 2004 implementation of the Safe Third Country Refugee Sharing Agreement with the United States have considerably decreased the number of irregular migrants accessing Canada.

The number of improperly documented persons arriving at Canada's airports has declined by 70 per cent since 1990, reaching an all-time low of 2,442 in 2004. In 2005, improperly documented arrivals at Canadian airports are expected to decrease further and to be at their lowest level since statistics were first collected in 1989.

816 or 33 per cent of the improperly documented arrivals at Canadian airports in 2004 arrived without passports, although the receipt of advanced passenger information (API/PNR) resulted in identification of much of the documentation used.

In 2004, 5,916 passports were intercepted abroad. Many of these interceptions were made by Canada's Migration Integrity Officers (MIOs) or airline agents trained by MIOs.

*Further, is the government aware that there is an increasing number of fraudulent identity documents being used in this manner and what corrective measures has it taken?*

The number of improperly documented persons arriving at Canadian ports of entry has been decreasing since 1998.

A. The Immigration and Refugee Protection Act provides authority for the immigration officers of the Canada Border Services Agency and Citizenship and Immigration Canada to seize documents if they have been fraudulently or improperly obtained or used, or the seizure is necessary to prevent their fraudulent or improper use or to carry out the purposes of the legislation.

B. The measures being taken to combat document fraud in the immigration and refugee programs are the following:

1. Mail Seizure program — This program, which commenced in 1995, allows CBSA to seize fraudulent documents, blank documents and equipment that facilitates counterfeiting or alteration of documents. The types of documents seized are largely consistent with those being used to facilitate migrant smuggling to Canada and other countries. They also reflect the misuse by irregular migrants after they gain access to Canada. Thus, the program removes a large volume of contraband documents from circulation.
2. Production and distribution of travel document alerts — On a regular basis, the CBSA produces and distributes travel document alerts on new documents, fictitious documents in circulation, and new types of fraud encountered in various documents. These alerts are invaluable for the continuing education of CBSA and CIC officers, other government officials and partners involved in border management in Canada and abroad.
3. Document training — CBSA develops and delivers document examination training to CBSA and CIC officers and partner agencies. It has developed a national document curriculum for CBSA, CIC and partners.
4. Participation in EDISON (Electronic Data Imaging System on Network) — EDISON is a joint Dutch, Canadian, American and Australian product that provides easily searchable and reliable information on travel documents from all countries in the world and is currently available at Canadian ports of entry and missions abroad.
5. Development and implementation of a lost/stolen document database connected to the Primary Inspection Line — CBSA has developed a data module within our immigration processing system which includes basic, non-personal data on passports, visas and other documents that have been reported and confirmed lost, stolen or fraudulent by the competent authority. Through a link with the Primary Inspection Line at Canadian international airports, holders of documents which are recorded in the module are identified for mandatory referral to an immigration secondary examination where the holder and document will be subject to further checks and possible enforcement action. This module is accessible to all officers with access to the immigration database, including those outside Canada.
6. Document readers — To assist in the detection of document fraud at ports of entry and inland, document readers have been distributed. The abilities of these readers include ability to detect non-compliance with International Civil Aviation Organization (ICAO) standards in the machine readable zone of the document, and formatting inconsistencies.
7. Document reader observation library — The observation library is a reference tool attached to the document reader which provides information concerning specific documents. The library is maintained by CBSA staff.

8. Tele-expertise — Another tool employed is a video spectral computer designed specifically to detect fraudulent documents. This equipment allows an operator to conduct a full forensic examination of the document and has been adapted to conduct remote document examinations where the document expert is in a different location than the document.
9. Migration Integrity Officer Network — Currently, CBSA has deployed 45 Migration Integrity Officers in 39 locations abroad. They are responsible for providing advice and training on documents and irregular migration to airlines and host government officials, conducting interdiction exercises to stop illegal migrants and combat fraud.
10. Participation in the development by ICAO of international travel document standards that maximize the difficulty of altering or counterfeiting a travel document.
11. Interdepartmental Working Group on Document Integrity — This Working Group has representation from 14 federal departments and agencies. It facilitates interdepartmental cooperation and information sharing on documents for the purpose of enhancing consistency of approach and reducing duplication of effort.
12. Advanced Passenger Information / Personal Name Record (API/PNR) data — The use of API/PNR on passengers in flight to Canada allows the CBSA to screen passengers in advance and target for referral to secondary examination those whose data presents some discrepancy which requires further investigation.

[English]

## BUSINESS OF THE SENATE

### POINT OF ORDER— REQUEST FOR SPEAKER'S RULING WITHDRAWN

**Hon. Jeremiah S. Grafstein:** Honourable senators, as Senator St. Germain rose earlier today to withdraw the remarks he made in Question Period yesterday, I therefore withdraw my request for a ruling on a point of order and privilege yesterday respecting certain of Senator St. Germain's remarks.

### POINT OF ORDER

**Hon. David Tkachuk:** Honourable senators, I rise on a point of order. The *Rules of the Senate* state that a senator considering himself or herself offended or injured in the Senate, in a committee room or in any of the rooms belonging to the Senate may appeal to the Senate for redress.

Yesterday, in this chamber, I was the victim of a personal attack that came about after I responded to a request for an apology from Senator Austin that he made on March 23 of this year. At that time, I could not apologize because Senator Austin made his request during Senators' Statements, which did not allow for a response. The Senate then recessed.

Honourable senators, I availed myself of the earliest opportunity to apologize, which was yesterday because the previous day we heard statements on the death of the Pope. Here is what I said:

To the people of Canada, I apologize for what I said.

I acknowledged my error, as Senator Austin requested, but he was not satisfied. He took issue not only with what I said but also with when I said it, which is fine with me. That is what we do in this chamber. What we do not do, and what the rules proscribe us from doing, is making less than judicious personal attacks against one another.

In this context, I would draw to the attention of honourable senators rule 51, which reads as follows:

All personal, sharp or taxing speeches are forbidden.

Senator Austin ended a response to a question posed by Senator St. Germain with the following words:

I do not know the facts and I will not join a lynch mob in dealing with this particular proceeding. I will leave lynch mob leadership to Senator Tkachuk.

Senator St. Germain took umbrage with that characterization and responded in kind. While Senator Austin may have felt that his integrity was impugned by Senator St. Germain's reflexive comment, I was not a participant in the exchange. The attack on my character and reputation was incidental. I was an innocent bystander sideswiped in passing, as it were.

**Senator Austin:** So innocent.

**Senator Tkachuk:** Senator Austin characterized me, out of the blue, as a lynch mob leader. The comment was gratuitous and extraneous to the question that was asked by my colleague. The assault on my good name struck me to the very core. I was hurt.

**Some Hon. Senators:** Oh, oh.

**Senator Rompkey:** We weep for you!

**An Hon. Senator:** The first cut is the deepest.

**Senator Tkachuk:** Honourable senators and Your Honour, in raising this point of order, I seek redress for the words used by Senator Austin.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I welcome the opportunity to comment on what took place yesterday.

**Senator Tkachuk:** No apology?

**Senator Austin:** Honourable Senator Tkachuk said the following to us yesterday:

Liberals know their corruption well, honourable senators. I humbly defer to them on all matters related to the practice of it.

**Some Hon. Senators:** Shame!

**Senator Austin:** That was the beginning. He then referred to the daily reports coming out of the Gomery inquiry, and he naturally assumed that what the headlines meant was that Canada ranked twelfth worst in corruption in the world. How could any Canadian believe that his country, her country, could be the twelfth worst country in the world in corruption?

Senator Tkachuk explained his remark as not being able to properly read a headline in a newspaper. I cannot take responsibility for that. He does not either, really. While he says to the people of Canada, "I apologize for what I said," he went on to characterize David Kilgour as very prescient, adopting and quoting his view that:

...the Liberal party was now seen "as looking on the public trust as a vulture looks on a dying calf."

He continued to quote:

"Here we are, a G7 country, acting like a northern banana republic. What country is seen as more politically corrupt than us at the moment?"

Honourable senators, what I was referring to in my comment about Senator Tkachuk, when I said that I would not join a lynch mob in dealing with this particular proceeding but would leave lynch mob leadership to Senator Tkachuk, is the proceeding under the Gomery inquiry. That procedure has been set in place to determine the facts. We have no proof of anyone's corruption, not until the inquiry commissioner, Judge Gomery, reaches conclusions. No one in our country is guilty until proven so, and the presumption of innocence is dominant.

**Some Hon. Senators:** Hear, hear!

• (1440)

**Senator Austin:** Honourable senators, on this side, we believe in the rule of law. The other side believes in making a judgment before the facts are in. Why? Because it suits their belief as to their political expediency.

**Senator Mercer:** Part of the hidden agenda.

**Senator Austin:** I would assure them that they are making a mistake. The people of Canada want to see the outcome of the Gomery commission. They want to know the facts.

Honourable senators, I have provided an explanation, but I will certainly not go beyond that.

**Some Hon. Senators:** Hear, hear!

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, that was quite a dissertation on the part of the Leader of the Government in the Senate, but I would like to know what it had to do with the point of order that was just raised by Senator Tkachuk. I would refer to rule 54 which has to do with what has been taking place here today and yesterday. Rule 54 states:

The Senate may intervene to prevent the prosecution of any dispute between Senators arising out of a debate or proceeding in the Senate or in any Committee thereof.

It concerns me that the quality of debate is spiralling downwards by proceeding in this manner. I believe that that is inappropriate. I would agree with the honourable senator that we should address the matter, but I have no idea what the solution may be.

We need debates and exchanges such as this since they add vigour to our debates. The question is: In what language? Both sides must be concerned about that language.

Rule 51, which comes into play, states:

All personal, sharp or taxing speeches are forbidden.

It matters not whether the intervention occurs in Senators' Statements, Question Period or wherever.

I turn now to the matter of definition. What is meant by, "sharp or taxing speeches"?

After Senator Tkachuk misspoke on March 22 during debate on the budget, he did come back at the first opportunity and offer an apology. We should all recognize the record which shows that, at the first opportunity, he did that. As he has pointed out, Senator Austin made his statement during Senators' Statements, when there is no procedure to allow a senator to respond. It works both ways, and we should recognize that.

All senators should recognize that this is a situation where both sides should try to raise the level of debate by avoiding certain language. From time to time, we all lose our tempers, and I am noted for that, I am sure.

**Senator Robichaud:** Really?

**Senator Stratton:** I have done so on several occasions.

Surely to goodness, in this instance, if Senator St. Germain has withdrawn his comments of yesterday, it should be possible for Senator Austin to do the same today.

**Senator Austin:** Honourable senators, my view of the situation is not on all fours with that just outlined. Senator St. Germain withdrew his comments. Frankly, I believed that that would end the matter that was started by Senator Tkachuk during Senators' Statements.

As Senator Tkachuk continues to see himself as having a grievance, I would say that I see this side as having a grievance because Senator Tkachuk says that we are corrupt — and I believe he is referring to the evidence heard at the Gomery inquiry — though that finding has not been reached by anyone. If he wants to say there are allegations of corruption, then that is fine. However, to come to a conclusion is to make a judgment. To tell Canadians they can make a judgment on the facts when the facts are not concluded is something else.

**Senator Stratton:** That is awfully magnanimous of the honourable senator. I shall remember it.

**Some Hon. Senators:** Oh, oh!

**Hon. Marcel Prud'homme:** Honourable senators, we are entering into a new era. An ex-minister in the Quebec National Assembly once said, "Rights are rights are rights." I am afraid, after listening to these many exchanges between the Leader of the Government in the Senate and the Chairman of the Standing Committee on Rules, Procedures and the Rights of Parliament, that I do know what constitutes a statement. To me, it is clear. A statement is a statement is a statement. If some members do not like some statements, they have recourse. They can make, at the first opportunity, a different statement, an aggressive statement or, if they feel offended, they can, as the minister has done, give us warning that he will raise a question of privilege.

I am skeptical, especially after what happened in the National Assembly of Quebec. I will never forget that they condemned a citizen, whose name was Yves Michaud. He was condemned by two members, Mr. Boulerice, a PQ; and Mr. Bergman, a minister. They condemned a Canadian citizen, regardless of his political affiliations, for a statement that nobody had read. In a democratic society, a statement can be made. Now we are saying that that is not nice, not gentlemanly. The issue was addressed yesterday. When there was reference to "You over there," meaning the other side, "you are either corrupt or a bunch of corrupt officials," that eliminated half of the senators on this side who are members of the government side. Where do you stop?

That is a supplementary question to our able chairman of the Rules Committee, Senator Smith, whom I have known since 1960. We must be extremely careful when we start defining what is a "statement." Some statements may be more vigorous. This may be difficult for some to hear, but we should live with our statements. If some do not like it, if they think it is too heated, they can cool off somewhere else or make, at the first opportunity, another statement.

I do not want to anticipate how far we can go when making statements. This session may be coming to an end, but I am sure we have not heard the end of it. Some strong statements may be made soon that some members may not like and they may say they are incorrect.

**Senator St. Germain:** Very good.

**The Hon. the Speaker:** Honourable senators, with no other senator rising, I will deal with this now.

I thank Senator Tkachuk for raising the matter and honourable senators for reviewing the details of what transpired yesterday. The exchange I think speaks for itself.

Senator Stratton drew our attention to rule 51, which reads:

All personal, sharp or taxing speeches are forbidden.

That is the extent to which the presiding officer of the Senate can involve himself or herself in a matter such as this, other than to draw attention to the fact that such has occurred and that senators should judge themselves accordingly.

Senator Tkachuk made reference to rule 52, which reads:

A Senator considering himself or herself offended or injured in the Senate, in a committee room, or in any of the rooms belonging to the Senate, may appeal to the Senate for redress.

Rule 53 is also relevant in that it has the same language in referring to a senator appealing to the Senate.

• (1450)

The rules that Senator Tkachuk has drawn to our attention refer to the Senate as a whole, and I thank him for doing that. It is not for me to suggest how that might be done, but there are rules and procedures for a senator to proceed under, including rule 52 and others, to request a remedy of the Senate.

In terms of the request to the chair to address the matter, my ruling is that it is not within the power of the chair to do other than what I have done on this occasion, and that is to draw attention to rule 51. The other matters are for the Senate itself or for a senator to use the rules to seek the remedies that are provided for therein.

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## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I would like to call first Bill C-3 on the Coast Guard and then to deal with the other items as they stand on the Order Paper.

### CANADA SHIPPING ACT CANADA SHIPPING ACT, 2001 CANADA NATIONAL MARINE CONSERVATION AREAS ACT OCEANS ACT

#### BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Furey, for the second reading of Bill C-3, to amend the Canada Shipping Act, the Canada Shipping Act, 2001, the Canada National Marine Conservation Areas Act and the Oceans Act.

**Hon. W. David Angus:** Honourable senators, I rise today at second reading of Bill C-3, to amend the Canada Shipping Act, the Canada Shipping Act, 2001, the Canadian National Marine Conservation Areas Act and the Oceans Act, yet another government reorganization law that purports to consolidate responsibility for Canada's marine safety policy, including the Canadian Coast Guard, under the authority of the Minister of Transport.

In introducing the bill in the other place, the sponsor of the bill for the government stated:

... the content of the statutes affected by Bill C-3 remain otherwise unchanged and as such this Bill is considered to be policy neutral —

— whatever that means.

Therefore, there should be no consideration of significance for stakeholders, the environment or international relations.

He went on to state that the sole purpose of Bill C-3 is to confirm in law a re-organization already introduced by an Order-in-Council on December 12, 2003, more than 16 months ago.

Frankly, honourable senators, this proposed legislation may well turn out to be “policy neutral” and of a well-intentioned housekeeping nature, but I believe it requires careful study and amendment, if warranted, by the honourable members of the appropriate Senate committee to ensure that its stated intention can be well accomplished and that it will, if enacted, represent good law and good public policy rather than create confusion and waste, as did a certain 1995 Order-in-Council.

I say this, honourable senators, because of the importance of this legislation for Canada’s national security, its maritime industries and its serious consequences for our delicate marine habitat and environment.

Honourable senators, the said Order-in-Council of December 2003 reverses a 1995 Order-in-Council that transferred authority over the Canadian Coast Guard from Transport Canada to the Department of Fisheries and Oceans, an ill-fated, cost-cutting exercise driven by so-called program review that had very unfortunate consequences both for Canada’s international reputation and its maritime industries. The results were the virtual emasculation of Canada’s once-proud Coast Guard as well as the diminution of the Department of Fisheries and Oceans as an effective instrument of public policy and protector of our valuable fishing stocks. This is not the first time this government has made hasty, ill-conceived and detrimental organizational changes without prior stakeholder consultation and proper impact analysis.

When the House of Commons Committee on Fisheries and Oceans became aware of these apparently disastrous consequences, it investigated, held hearings and soon concluded that locating the operations of Canada’s Coast Guard under the control of the Department of Fisheries and Oceans rather than Transport Canada constituted a monumental and costly mistake.

The committee’s report vindicated the complaints of Canada’s maritime community, which was outraged when the surprise change was made without warning by the 1995 Order-in-Council. The committee’s report was issued in March 2004 and was entitled “Safe, Secure, Sovereign: Reinventing the Canadian Coast Guard.” Among other things, it concluded:

In 1995, the Coast Guard was transferred from Transport Canada to the Department of Fisheries and Oceans (DFO). The merger of the Coast Guard with DFO was difficult and painful. Funding for both departments was significantly reduced in 1994 as a result of Program Review and the integration of two organizations with different structures and corporate cultures added significantly to the challenges faced. In the view of the Committee, the transfer of the Coast Guard to the Department of Fisheries and Oceans has been disastrous for the Coast Guard. The Coast Guard has virtually disappeared within DFO. The combined fleet has been reduced almost to half its pre-merger strength. The average age of the Coast Guard vessels is over 20 years. Almost half have less than five useful years of service left. Fisheries and Coast Guard patrols have for all practical purposes been abandoned. The idea that great cost savings would be realized by merging the two fleets was, in our view, largely an illusion.

Honourable senators, another piece of maritime legislation, Bill C-15, is presently going through the parliamentary process and is being studied by the Standing Senate Committee on Energy, the Environment and Natural Resources. I am concerned that history might possibly be repeating itself here. Again, this government is trying to resolve a maritime issue, namely the deliberate and reckless pollution of Canada’s maritime habitat and environment by oily bilge waste from seagoing ships, through a department other than the Department of Transport. In the case of Bill C-15, it is important to ensure that another major mistake is not being made by placing a clearly marine matter under the supervision and operation of a non-marine department. I wonder if perhaps Bill C-3 and Bill C-15 should be carefully examined together to ensure that they are not contradictory or otherwise in conflict.

Honourable senators, a strong, well-funded and efficiently managed Canadian Coast Guard is not only desirable but imperative if our nation is to have secure and well-monitored coastal waters and a well-protected marine environment and wildlife habitat. To this end, it appears to me, at least, that Bill C-3 is on the right track, but can the same be said of Bill C-15?

In the World Wildlife Fund’s recent report entitled “Sea Birds and Atlantic Canada’s Ship-Source Oil Pollution,” the decline of chronic ship source oil pollution incidents in the Netherlands, Germany, the U.K. and the U.S. is credited directly to the increase in effective surveillance by beefing up these nations’ Coast Guard operations. It is not enough to have tough laws; it is also important that our laws be administered by qualified marine pollution experts, backed up by sufficient financial, technical and manpower resources to enable effective enforcement.

It is obvious that more than one government department has a stake in the hands-on protection of Canada’s coastal waters, our fisheries and the marine environment, including Transport Canada, Environment Canada and Fisheries and Oceans, but each has different expertise and terms of reference. Cooperation, teamwork and clear lines of authority between these vastly different authorities are critical. Applicable legislation, therefore, requires careful, prior stakeholder consultation, coupled with attentive study in committee during the legislative process.



I should like to share with honourable senators a shameful example of what can happen and has happened not too long ago where such cooperation went astray and where shameful bureaucratic infighting and legislative confusion embarrassed all Canadians.

The House of Commons Committee on Fisheries and Oceans report referred to above in my remarks today relates the following shocking comedy of errors:

• (1500)

On 8 September 2002, RADARSAT spotted a 116-kilometre oil slick, 70 kilometres south of Havre St. Pierre. The Canadian Coast Guard directed by Fisheries and Oceans officials in St. John's, responded with a surveillance airplane and confirmed that the only ship in the vicinity of the spill was the *Tecam Sea*, a Panamanian-owned, Bahamian-registered ship operated by a Greek company en route to Gibraltar from the Gulf of St. Lawrence.

The *Tecam Sea* incident occurred only a few days following the beginning of a six-month project for the use of satellite technology for environmental monitoring, and a couple of months after the signature of an MOU designed to promote seamless cooperation between DFO, Transport Canada and Environment Canada in order to monitor and control illegal oil pollution in Atlantic Canadian coastal waters.

Environment Canada officials took over the *Tecam Sea* investigation from DFO but found that they could not proceed without technical expertise from Transport Canada. Transport Canada was advised by justice department lawyers not to get involved.

The report continues:

In the meantime, Environment Canada arrested the *Tecam Sea* and charged the captain, chief engineer and the company with dumping oil into Canadian waters.

Remember, honourable senators, that this is a 116-kilometre-long slick of non-dispersible pollutants.

The report continues:

Six charges were laid under the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Canadian Environmental Protection Act*, and two charges under the *Canada Shipping Act*. The charges under the *Migratory Birds Convention Act* had never been used in similar cases. The vessel, the captain and the chief engineer were released on bail.

Together with satellite imagery and Coast Guard surveillance, evidence of significant discharge of oil through the *Tecam Sea's* oily water separator was conclusively established and the chief engineer was unable to account for nearly 15,000 litres of used oil.

Yet, shockingly, honourable senators, in April of 2003, all Canadian authorities involved suddenly dropped the charges that had been brought against the *Tecam Sea*, its owners and crew in

the Newfoundland and Labrador court. Transport Canada declined to be involved in the prosecution based on legal advice. Justice Canada questioned whether Environment Canada had the authority to arrest the captain and direct the ship to port.

This incident, honourable senators, and the clumsy and ultimately hapless response of our government to it, sent out the wrong message to international shipping — that Canadian waters can be polluted with impunity. This is not the message that Canada should be sending out.

Honourable senators, with Bill C-3, the government, apparently, is attempting to turn back the clock and return things to the way they used to be with the Coast Guard under Transport Canada, with admirable humility. That may be a good start, but it is not all that is needed. We need profound change, and leadership and genuine commitment from cabinet. In recent weeks, over and over, witnesses at the Standing Senate Committee on Energy, the Environment and Natural Resources have told us that the resources of our Coast Guard today are so minimal as to be pitiful. We need to provide Canada's Coast Guard with the necessary resources — monetary, technical and equipment — to effectively accomplish their tasks of surveying and protecting our shorelines, securing our waters and ports, fighting against illegal smuggling of all kinds, preventing pollution of our marine habitat and environment, and protecting our fish stocks and other valuable natural resources.

Honourable senators, I earnestly hope that Bill C-3 is given more than a cursory study in committee so that, before giving it third reading in this chamber, we can be assured that the bill is indeed policy neutral and appropriate in both form and substance so that it can accomplish its intended results.

**The Hon. the Speaker:** Are honourable senators ready for the question?

**Hon. Senators:** Question!

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

**Hon. Senators:** Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Moore, bill referred to the Standing Senate Committee on Transport and Communications.

## PATENT ACT

### BILL TO AMEND—THIRD READING

**Hon. Joseph A. Day** moved third reading of Bill C-29, to amend the Patent Act, as amended.

He said: I would remind honourable senators of the near unanimous support for Bill C-29. The bill is the result of a court decision that reversed a practice that the Commissioner of Patents had been exercising and industry had been following for many years. As a result of the *Dutch Industries Limited* decision, the validity of 60,000 to 80,000 patents was put into question. This amendment to the Patent Act will allow for a retrospective and prospective correction.

The industry is supportive of this bill. It received wide support in the House of Commons. The Intellectual Property Institute of Canada, which is the advising institute for patent matters, is supportive of the bill. At second reading, the Honourable Senator Kelleher indicated his support for the bill.

The bill was referred to committee, where we found that one other technical amendment was required. That amendment was spoken to yesterday by the Chair of the Standing Senate Committee on Banking, Trade and Commerce, the Honourable Senator Grafstein.

Honourable senators, I believe that the bill should receive the support of this chamber so that the industry can get on with its business with respect to patents.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, our critic, Senator Kelleher, agreed in principle to the bill at second reading. He has told me that, in light of the comments made at that time and during the committee hearings, he is satisfied with the bill as it stands.

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

**Some Hon. Senators:** Question!

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

**Hon. Senators:** Agreed.

Motion agreed to and bill, as amended, read third time and passed.

• (1510)

## QUARANTINE BILL

### THIRD READING

**Hon. Wilbert J. Keon** moved third reading of Bill C-12, to prevent the introduction and spread of communicable diseases, as amended.

He said: Honourable senators, Bill C-12 was carefully studied in committee, where several amendments were moved. A further amendment was moved by Senator P  pin in the house yesterday. Bill C-12 is absolutely essential to the function of the new Public Health Agency of Canada, which is of tremendous importance to our country, as honourable senators learned during Question Period today. As such, I would ask honourable senators to give third reading to Bill C-12, as amended.

[ Senator Day ]

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

Motion agreed to and bill, as amended, read third time and passed.

## PARLIAMENT OF CANADA ACT SALARIES ACT

### BILL TO AMEND—SECOND READING

**Hon. Jack Austin (Leader of the Government)** moved second reading of Bill C-30, to amend the Parliament of Canada Act and the Salaries Act and to make consequential amendments to other Acts.

He said: Honourable senators, I am pleased to move second reading of Bill C-30 respecting parliamentary compensation.

[Translation]

As you know, under our current compensation system, the salaries of parliamentarians are linked to those of judges. Last September, the government made a commitment to link increases in the remuneration of parliamentarians to the increases that other Canadians receive and to break the link between the salaries of parliamentarians and judges. Bill C-30 is the fulfilment of that commitment. There will be no further link between the salaries of members of Parliament and senators and those of members of the judiciary.

From now on, our increases in compensation will be on par with those that other Canadians receive. After all, we are here to serve them.

[English]

I will outline the key elements of the proposed parliamentary compensation system. Bill C-30 makes specific reference to an annual index published by the Department of Human Resources and Skills Development. This index tracks average annual salary increases negotiated through collective bargaining for private-sector units with 500 or more workers, representing approximately 800,000 employees across Canada. This index is known as the Major Wage Settlements Index and is published every February, documenting the wage changes of the previous calendar year. This index will serve as a benchmark to determine the salary increase that we would receive. In choosing the Major Wage Settlements Index as the basis for future parliamentary compensation increases, the government examined a range of wage indexes, including the Consumer Price Index or the Canadian Industrial Aggregate Index.

[Translation]

The problem with the Consumer Price Index is that increases in compensation would not be directly related to the increases that other Canadians receive.

In addition, the Consumer Price Index reacts to external factors such as fluctuations in the world price of oil. I am sure you will agree that would make for a rather unstable index.

The Industrial Aggregate Index reflects wage settlements in both the private sector and the public sector. Since the government negotiates with professional groups in the public sector and Parliament could be called on to legislate public service salaries, it would be inappropriate that our compensation should be tied to an index that takes into account wage settlements in the public sector.

[English]

The only publicly available private sector wage index is the Major Wage Settlements Index. Under the current system, judges' salaries and, therefore, those of parliamentarians are adjusted two ways: first, annually in accordance with the Canadian Industrial Aggregate Index; and second, through increases adopted by Parliament to respond to the recommendations of the quadrennial Judicial Compensation and Benefits Commission. Under the current system, our 2004 salaries were \$116,000 and for 2005 they will be \$119,100, plus any retroactive increase Parliament provides in the adjustment to judges' salaries. Under Bill C-30, our 2004 salary is \$116,200. For 2005, according to the HRSD index proposed in Bill C-30, there is a 2.2 per cent increase in our salaries, resulting in a salary of \$119,300.

Honourable senators will recall that the parliamentary compensation changes we passed in 2001 abolished the tax-free allowance, which was then adjusted by an amount of salary on which income tax is paid. Historically, the salary of senators lagged behind the salary of members of the House of Commons. Notionally, the basis was that the House of Commons members had additional costs related to constituency work, costs that were not impressed on senators. In 2001, the salary difference was \$25,000. We kept that \$25,000 differential between salaries for senators and members of the House of Commons.

If we had simply applied a percentage change, there would have been a gradual widening of the differential between members of the two Houses. I want to reassure senators that the \$25,000 salary difference remains unchanged in Bill C-30.

The simple purpose of Bill C-30 is to establish a new method of indexation and allowances for members of Parliament and ministers that is de-linked from the judiciary and in line with average wage increases received by Canadians. The changes proposed in Bill C-30 would come into force on April 1, 2004, since this is the date on which the changes in salaries proposed by the quadrennial Judicial Compensation and Benefits Commission under the current system would take effect. It would appear, as I said earlier, that in fiscal 2003-04 and in fiscal 2004-05, there is no actual cash loss to senators but an actual gain of about \$200 on a yearly basis.

[Translation]

In my view, the proposed index in Bill C-30 constitutes an adequate base for calculation of adjustments to the compensation of parliamentarians. It is a fair and open solution corresponding to the increases received by other Canadians.

It is an authoritative index in Canada and one whose accuracy is not disputed. In fact, it is frequently quoted by governments, universities and major financial institutions.

[English]

I firmly believe that delinking our salaries and those of judges is the right thing to do. It is fair both to us and to Canadians. I am pleased that Bill C-30 was supported in the other place by the official opposition. I believe that Bill C-30 will also be seen by honourable senators on both sides to be a fair and reasonable approach to compensation matters.

• (1520)

[Translation]

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, I rise today to give my support to Bill C-30, which would delink the salaries of parliamentarians from those of members of the judiciary.

[English]

Back in 2001, we passed Bill C-28 into law and ended the awkward situation that we as parliamentarians found ourselves in of having to directly set out our own salaries.

That bill grew out of the Lumley commission review of parliamentary salaries. The commission found that we, senators and members of Parliament, were underpaid compared to the private sector, senior public servants, union leaders, judges and people appointed to federal Crown corporations.

The commission recommended setting up a mechanism that would establish our salaries by tying them to the salaries of the judiciary. It also recommended that the Prime Minister would earn the same pay as the Chief Justice of the Supreme Court, that other parliamentarians would receive a 20 per cent increase in pay and that committee chairs would be paid for their additional responsibilities. This mechanism seemed to make sense.

With Bill C-28, the salaries of the members of the House of Commons were set at 50 per cent of that of the Chief Justice, and senators' salaries were set at \$25,000 below that level. Everything appeared to be fine. We were no longer in what was effectively a conflict of interest situation where we set our own salaries. Instead, an independent system was put into place that would determine what they would be.

Unfortunately, there was a glitch in the method, which we did not foresee. Perhaps we did not adequately examine all the possible scenarios.

Every four years, the Judicial Compensation and Benefits Commission reviews judges' salaries. Last May, it recommended an increase in the salary of the Chief Justice of the Supreme Court to \$308,400, with future years indexed to inflation. This is an increase that, as was mentioned in the other place, is almost four times the average Canadian increase in wages.

Debate over the appropriateness of this increase will be left to another day, but one thing is clear: This pay increase would have had major implications for those of us whose salaries were tied to the salary of the Chief Justice. She has not yet received this salary increase, but, if the recommendation were to go into effect, under the law, MPs' salaries would jump from \$141,200 to \$154,200, an increase of almost 10 per cent, retroactive to April 2004. Senators would receive \$25,000 less, for a total of \$129,200.

This is a jump that is just not fair. This is a jump that Canadians could not accept, that I could not accept and, I would hope, that none of the members of this chamber could accept.

Honourable senators, we need to unhook our salaries from that of the Chief Justice before a wage increase of this proportion could possibly happen. That is why we needed this legislation.

With Bill C-30, starting this month, April 2005, salary increases for the members of the House of Commons will be based on collective agreements for workers employed by private sector firms with more than 500 employees. This will include some 431 collective agreements involving more than 800,000 employees across Canada.

Public servants are not included in this group because we may have to legislate on their salaries at some point in the future. In doing so, we would find ourselves back in the old unwanted situation of legislating indirectly on our own salaries.

The bottom line is that, with this bill, the salary changes we receive will reflect the salary changes received by all Canadians. Our salaries in the Senate will remain pegged at \$25,000 below those of the members of the House of Commons, and this, I think, is deemed fair.

Bill C-30 keeps a couple of key principles that we all worked hard to put into place under the old Bill C-28. First, MPs and senators will not be voting on their own salaries. Second, a mechanism will be put in place that we all agree upon, one that provides for changes in our salaries. Bill C-30 improves upon this by ensuring those changes reflect the changes in the salaries of all Canadians.

To be honest, honourable senators, this is a difficult topic to be debating in Parliament. After all, we are talking about our salaries here, salaries which we receive from the people of Canada. However, I do believe that we have finally found, at least hopefully, a solution that is workable, fair and acceptable to members of Parliament, to senators, and to the people we work for, to the men and women of Canada.

I urge honourable senators to move quickly and ensure that this legislation passes into law.

**The Hon. the Speaker *pro tempore*:** Are honourable senators ready for the question?

**Hon. Senators:** Question!

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

Motion agreed to and bill read second time.

## REFERRED TO COMMITTEE

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

On motion of Senator Austin, bill referred to the Standing Senate Committee on National Finance.

## NATIONAL CANCER STRATEGY BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Forrestall, seconded by the Honourable Senator LeBreton, for the second reading of Bill S-26, to provide for a national cancer strategy.—(*Honourable Senator Rompkey, P.C.*)

**Hon. Sharon Carstairs:** Honourable senators, I want to begin by thanking the Honourable Senator Forrestall for introducing Bill S-26, to provide for a national cancer strategy. There is no doubt in my mind that a national cancer strategy is very much needed in Canada. I am on the record in an inquiry in this place a year ago with my support for the concept.

Let me give this chamber just a few facts. The number of new cancer cases in Canada is increasing. The rate of increase is climbing faster relative to all other diseases. Cancer kills more people in Canada than strokes, respiratory disease, pneumonia, diabetes, liver diseases and HIV/AIDS combined.

No pan-Canadian plan is in place to manage these increasing numbers, and Canada trails other nations that have identified cancer as a national health priority — for example, Finland, New Zealand, Australia, Ireland and the United Kingdom.

Regrettably, however, the bill presented before us is not the piece of legislation I think it should be. For example, it neglects the fact that there is at present the Canadian Strategy for Cancer Control, which has been developed and is currently being implemented, albeit very slowly, because of inadequate funding. It requires an infusion of funding similar to the Canadian Diabetes Strategy and the HIV/AIDS strategy if it is to succeed.

This strategy has brought together cancer agencies from across this country. Physicians, nurses and cancer survivors have worked on this strategy, and its five-year action plan and its evaluation plan should, in my view, serve as the firm basis for the further development of a national cancer strategy; yet, it is tragically not mentioned in this bill.

Honourable senators, it is not in the best interests of the long-term treatment and/or cause of cancer that the process begin again when such a very good amount of work has already been completed.

In addition, the consultation process described in clause 3 of this bill is far too narrow. The bill envisages that the strategy would require consultation with provinces, territories and

registered charities primarily concerned with funding into cancer. However, the bill makes no reference to the national and provincial organizations and entities that have a major and, in some cases, unitary interest in cancer controls, for example, the Canadian Association of Provincial Cancer Agencies, provincial cancer agencies and programs, professional societies, palliative care organizations provincial and national, the Canadian Coalition on Cancer Surveillance, the Cancer Research Alliance, the Canadian Institute for Cancer Research and cancer advocacy groups. Without this broad-ranging consultation, Canadians will not get the strategy that they truly need.

• (1530)

In paragraph 4(a), the bill states that the objective of the bill is “to finance research in Canada into the causes of cancer and its most effective treatments.” This is a much too narrow a scope of action. The proposed national cancer strategy should address the full spectrum of cancer control, not just research and treatment. The strategy should also address primary prevention, screening for cancer, diagnostic improvements, rehabilitation surveillance, supportive care, palliative care, human resources and enhanced cancer surveillance, all coordinated and planned nationally but implemented at the provincial, regional and local levels. That is what the Canadian strategy for cancer control envisages and what, in my view, is absolutely essential if we are to achieve the needed objectives of making progress in effectively dealing with cancer and its growth in this country.

Paragraph 4(a) also provides that the national strategy applies only to those “provinces that agree to participate in the strategy.” I am concerned that there seems to be the presumption that some provinces or territories would not want to participate. While this might be a pragmatic approach, I think it is unfortunate wording.

Honourable senators, the diabetes strategy receives \$18 million per year and an additional \$25 million for the Aboriginal diabetes strategy. The HIV/AIDS strategy has been increased to \$84 million, while cancer, the second-greatest killer of Canadians, received \$500,000 last year.

Honourable senators, the bill as it is presently before us brings much-needed attention to the need for a national cancer strategy; regrettably, however, it does not go far enough. Bill S-26 needs many amendments. I have spoken to the Honourable Senator Forrester, who has agreed that we should be able to find acceptable, friendly amendments, so that we can get the very best national cancer strategy for all Canadians.

On motion of Senator Rompkey, debate adjourned.

## CRIMINAL CODE

### BILL TO AMEND—REPORT OF COMMITTEE— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Bacon, seconded by the Honourable Senator Dallaire, for adoption of the sixth report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill S-11, to amend the Criminal Code (lottery schemes), with amendments and observations) presented in the Senate on April 12, 2005.—(Honourable Senator Eyton)

**Hon. Lise Bacon:** Honourable senators, Senator Stratton has a copy of the dissenting observations from Senator Eyton.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Unfortunately, Senator Eyton cannot give his speech today. I understand he will do so next week.

Order stands.

## STUDY ON DEVELOPMENT AND MARKETING OF VALUE-ADDED AGRICULTURAL, AGRI-FOOD AND FOREST PRODUCTS

### REPORT OF AGRICULTURE AND FORESTRY COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming consideration of the second report of the Standing Senate Committee on Agriculture and Forestry, entitled: *Value-added Agriculture in Canada*, tabled in the Senate on December 14, 2004.—(Honourable Senator Fairbairn, P.C.)

**Hon. Catherine S. Callbeck:** Honourable senators, the adjournment stands in the name of Senator Fairbairn, but she has agreed that I will speak today and adjourn the matter in her name.

Over the past 18 months, the Standing Senate Committee on Agriculture and Forestry has been discussing an issue that is one of the key factors affecting the future of agriculture in the food industry in this country. That issue relates to the development and marketing of value-added agricultural and food products, not only for domestic markets but as well for markets around the world. The report has now been completed and tabled. Today, I want to comment on the general thrust of its recommendations.

First, I should like to express my appreciation to the wide range of people who shared their insights and perspectives before the committee. Those people represented a broad cross-section of agriculture in the food industry in this country. Their representations reflected their deep commitment to the future of this industry, which is so critical to our economy and to our way of life.

Far too many people take the food they eat for granted. As well, far too many people are not aware of the struggles and challenges facing Canadian farmers who produce safe, nutritious, high-quality products at affordable prices.

Canadians benefit from the lowest food costs of any industrial country in the world. The reason for that is the efforts of men and women across this country whose hard work and innovation has made our agriculture and food industry one of the most efficient and progressive in the world.

Unfortunately, Canadian farmers are not benefiting from the fruits of their labours. Over the past number of years, while they have increased production, Canadian farmers have seen their relative share of the food dollar decline. They have made

significant investments, but have seen their profit margins continue to drop. They are producing more and better products but are dealing with a marketplace that is becoming more concentrated and over which they have less control. Canadian farmers have been forward-looking and innovative but are facing competition from other countries that are more highly subsidized, which does not result in a level playing field internationally.

We are fast approaching the point at which the entire Canadian agricultural industry will be seriously at risk. We are coming to a point where many are losing confidence in the future of the industry. Canadian agriculture is at a crossroads and needs a strong and concerted action if this vital part of our economy is to survive and prosper. In short, honourable senators, the problems are real and immediate, and they need to be resolved if we are to have a strong and growing agriculture and food industry in this country.

Over the past several years, producers across this country have experienced drought. They have had to deal with the consequences of the BSE crisis. They are facing a stronger Canadian dollar and they continue to grapple with the long-term, resistant trends in the industry that adversely affect their operations.

While the federal, provincial and territorial governments continue to respond to the needs of producers, there is a growing recognition of the need for all parties to work together to deal with the long-term decline in farm income. That is why I hope the recommendations contained in the standing committee's report will help to address these and other problems currently faced by the industry.

In summary, honourable senators, the thrust of the recommendations is aimed at helping Canadian producers increase their share of the food dollar. Value-added activities are those that help producers improve or stabilize their income or profits. It is all about creating new opportunities for producers to achieve a more equitable share of the value of their products.

As pointed out in the report, the transformation experienced in Canadian agriculture over the past two decades has been the result of the growth of the value-added sector. That sector is now the fastest growing component of the entire industry. The increasing importance of value-added initiatives is illustrated by changes in consumer demand. Consumers want convenience, quality, safety and value in their food products. Responding to those demands has made the food industry highly competitive and has put increased pressure on primary producers. Their declining share of the food dollar reflects the increased concentration in the food industry and producers are looking for new ways to extract higher returns from the food value chain.

Unfortunately, primary producers have not fully shared in the growth of the value-added sector, which is one of the reasons they continue to fall behind. At the same time, the lack of growth in the value-added sector has resulted in a loss of opportunities for the economy as a whole.

• (1540)

Some recent developments in the beef industry provide an excellent example of what I am talking about. The BSE crisis has underscored the extent to which this country is dependent on exports. Before May 2003, Canada exported over \$4 billion worth of beef and beef products to international markets. Of that, roughly 80 per cent was exported to the United States. Of our total exports to the United States' market, \$1.8 billion was in the form of live cattle. That number not only serves to point out the importance of reopening the U.S. border to exports of live cattle, it also serves to point out the loss of economic and employment opportunities in Canada. Were these live cattle to be processed in Canada before being exported, it would provide significant new economic and employment opportunities in this country.

The fact is that Canada has approximately less than half the processing capacity required for the size of the Canadian cattle herd. That is why I applaud the federal Minister of Agriculture for the announcement this past September of measures to help reposition the Canadian livestock industry. These measures include support and encouragement for more processing capacity and efforts to expand international markets. Such measures will lessen our dependency and provide more value-added opportunities for the livestock industry.

In March, the Government of Canada announced that \$50 million will go to the Canadian Cattlemen's Association Legacy Fund to help launch an aggressive marketing campaign for Canadian beef. This campaign is expected to increase exports in order to reclaim and even expand the market for Canadian beef.

As I said earlier, one of the main reasons for examining value-added opportunities is to help producers achieve higher returns from the marketplace. Again, there is an excellent example in the livestock industry in my region of how this can be accomplished.

Beef producers from across the Atlantic provinces have joined together in a cooperative to build and to operate their own beef plant. While this proposal was being considered before the BSE crisis, it has taken on additional importance since then. The plant was established in partnership with Co-op Atlantic, a Maritime retail chain, and will supply the retailer with a Maritime-branded beef product.

Representatives of the cooperative came before the standing committee and told about how they are confident the plant will strengthen their overall position in the marketplace. By assuming responsibility for further processing, beef producers have moved up the value chain. They have secured a market for their cattle. They have created a branded product that has achieved major success in the marketplace.

In short, through this value-added initiative, they have taken more control over their own industry, and they look forward to more stable returns. This is an excellent example of a value-added enterprise that has been undertaken by producers themselves which addresses some of the challenges they face in obtaining their fair share of the value of their products. I want to commend the Atlantic Beef Producers Cooperative for this project and wish them every success.

As pointed out in the report, there are a number of ways to increase value-added initiatives in the agriculture and food industry. Some of these, such as improving food safety and quality, can be done industry or commodity wide and, given the demand for safe, high-quality products, can result in an increase in market share and higher prices.

Branding represents opportunities for producers or producer groups to create a different product to earn consumer loyalty and, hopefully, improve returns. New value chains are creating opportunities at the producer level as they work with processors and retailers to deliver particular attributes that are desired by consumers.

The report also recommends action on a number of specific initiatives, including organic agriculture, which is experiencing growth rates of up to 20 per cent a year; direct selling, which strengthens the relationship between food producers and consumers and enables producers to capture a greater share of the value of their products; and increased support and encouragement for producer-owned processing operations. I commend these recommendations for the consideration of all honourable senators.

Farmers must not be the weak link in the food value chain. They need a fair return on their investments and labour if they are to continue to be able to supply safe, high-quality products at competitive and affordable prices in domestic and international markets.

As agriculture is of such fundamental importance to the well-being of many rural areas across Canada, we need a vibrant, dynamic agriculture industry. Value-added activities help to improve and stabilize incomes for producers and also lead to new economic and employment opportunities for rural people. That is why I want to see an ongoing discussion on how to help create these opportunities. I am confident that this report of the standing committee will help contribute to that discussion.

On motion of Senator Rompkey, debate adjourned.

## THE SENATE

### RULES OF THE SENATE—MOTION TO CHANGE RULE 135—OATH OF ALLEGIANCE—ORDER STANDS

On the Order:

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

That the *Rules of the Senate* be amended by adding after rule 135 the following:

**135.1** Every Senator shall, after taking his or her Seat, take and subscribe an oath of allegiance to Canada, in the following form, before the Speaker or a person authorized to take the oath:

I, (full name of the Senator), do swear (or solemnly affirm) that I will be faithful and bear true allegiance to Canada.—(Honourable Senator Rompkey, P.C.)

**Hon. Eymard G. Corbin:** Honourable senators, I rise on a point of order with respect to Motion No. 58, which is Senator Lavigne's motion regarding the oath of allegiance. Is the Deputy Leader of the Government in the Senate standing this order in his own name or on behalf of another senator?

I am not sure if this is a proper inquiry to make, but I am somewhat nosy. I went back to the debate in which the Leader of the Government in the Senate spoke and suggested that if Senator Lavigne would agree to amend his motion, which would have the effect of making the taking of an oath of allegiance to Canada not obligatory, he could possibly obtain substantial support on the part of honourable senators.

I have heard rumours third-hand to the effect that I was opposed to that suggestion, which bothers me. I want to make it quite clear that, even though I may be rigorous when it comes to the taking of an oath of allegiance to Her Majesty Queen Elizabeth II, I recall saying in debate that, come what may, if the house decides to proceed with Senator Lavigne's motion, I could live with it. However, I could live with it even more easily if this were not an obligatory oath to Canada. I am trying to put things in the proper perspective.

Could Senator Rompkey inform me as to whether this matter is dead in its tracks or whether another senator will proceed with an amendment, as suggested by Senator Austin?

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, this matter is certainly not dead in its tracks. An amendment is being considered in consultation with Senator Lavigne. We are trying to decide how best to do that. The bill is very much alive. There seems to be a growing agreement to amend it. The question is: How do we do that? I would ask that the order stand until we have thought that through.

Order stands.

• (1550)

## NATIONAL EARLY LEARNING AND CHILD CARE PROGRAM

### INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Losier-Cool calling the attention of the Senate to the future national early learning and child care program, and in particular to the staff that will provide the services offered under this program.—(Honourable Senator Cochrane)

**Hon. Ethel Cochrane:** Honourable senators, I rise today to turn our attention once again to the proposed national early learning and child care program.

As you will recall, in the last federal budget the government pledged \$5 billion over five years to kick-start a program of universally inclusive, accessible and developmental early learning and child care.

According to Prime Minister Paul Martin, this initiative will provide young parents with the confidence that their children are indeed getting the high quality and developmental care they would want and expect. Frankly, Canadians have been calling on government to develop an affordable national child care program for years. Results from a survey conducted in January 2003, for instance, show that 90 per cent of Canadians either strongly agree or agree that quality child care is essential to the prosperity of Canada.

Surely all honourable senators can concur that the country will be among the chief beneficiaries once our children and families have access to quality child care. It will foster social, economic and equality gains, to name just a few.

There are even greater reasons to implement this initiative. It is my personal belief that every Canadian child deserves, as a matter of right, not of privilege, to begin school ready to learn and grow. I am hopeful that government's decision to allocate funds to this area is based on that same belief. Indeed, the announcement in the budget followed directly upon the recent Speech from the Throne which emphasized the importance of providing children with real opportunities to learn.

As a former elementary school teacher, I have long felt that our expectations for our children are too low. In my classrooms over the years, I have been awestruck by the capacities of the children. I have marvelled at how these brains can absorb so much new information. It truly inspired me to see how the little ones were always so eager to learn and so open to everything to which they were introduced. To me, they appeared to be like little sponges with endless potential.

Yet, then as now, access to adequate opportunities to learn and develop was inconsistent at best. Part of the problem, as I see it — and I have read studies that support this argument — is that early education and child care are not grouped under the same umbrella.

A report published last fall by the Organization for Economic Cooperation and Development, the OECD, says that Canada's approach in this regard is not unique. The norm in a majority of OECD countries is to have separate systems for education and care. While older children around ages four or five are offered a free half-day session of early education in the form of kindergarten, day-long child care for younger children has generally occurred under the auspices of social, health or community programming.

I believe this division is the crux of our problem. The OECD report entitled *Early Childhood Education and Care Policy* suggests that this division gives rise to a number of serious issues. Among the problems identified are: under investment in child care; inadequate learning approaches; policy and service delivery confusion; different staff learning training levels; and poorer qualification requirements and working conditions for child care staff. These are important issues. This debate is needed in Canada.

[ Senator Cochrane ]

Honourable senators, 60 years ago this discussion would not have taken place here. This issue is relevant today because, as we all recognize, Canada has undergone a dramatic demographic shift in recent generations. Today, young Canadians are working more hours. They are postponing marriage and parenthood until later than ever before. I know that for a fact because I have six children, four of whom are girls.

**Senator Rompkey:** Hear, hear!

**Senator Cochrane:** When they do have children, they are not out of the workforce for very long.

Statistics show that almost nine out of 10 Canadian women return to work within the first year after giving birth. Consider, for instance, that there are currently over 2 million children under the age of six in Canada. More than half of those — that is, 1.3 million — have mothers who are in the paid labour force. Honourable senators, that is a significant number.

Canada benefits when mothers return to the paid labour force. After all, the skills that these women possess are needed in industry and commerce. Their participation broadens and strengthens our tax base. Unfortunately, however, our policies have not adapted to meet these demands of the changing demographics. We have not kept pace with the realities of today's workforce and their implications for Canadian families and society as a whole.

It is heartening, therefore, that the most recent Speech from the Throne and the federal budget signalled Canada's commitment to exploring this issue and addressing the needs of Canadian families. The Prime Minister has cited the need for a high-quality system, open and available to all, affordable and geared to development, one that will level the playing field for children who are disadvantaged by birth or background.

On this point, he is supported by the vast majority of research. The OECD reports that, for example, when a system for early childhood services is subsidized and overseen by government, it "yields better results for both mainstream and disadvantaged children than a multiplicity of special services funded in response to family crises or social pressures." It is important that parents who participate in the paid workforce know that the needs of their children are being met in a child-focused environment that nurtures their minds and their spirits and encourages the development of their talents and skills. It is also important that quality child care be accessible to all Canadians, regardless of their income. On this front, Canada's record to date has been very poor.

For young families, child care costs represent a large portion of their monthly expenses. According to the report by Campaign 2000, child care is often the second biggest expense, just behind housing costs.

• (1600)

For example, in the City of St. John's, a parent who has a child in daycare will pay \$120 a week for 52 weeks. That is \$480 a month, which represents \$6,240 a year per child. That is a lot of money.



I understand — and I have been researching this quite thoroughly — that in other provinces some of these costs are even higher. It is phenomenal. This point was reiterated by the OECD report, which suggests that these high costs create a situation where parents are obliged to place their children in unregistered family daycare environments. This situation, the report says, “may be described as one of high stress for mothers and poor-quality services for young children.”

This quote leads me to one of the most important points I derived from the OECD report, one that is particularly salient to the discussion here today. It relates to our collective attitudes toward and expectations of early education and child care.

According to the report, Canada:

...compares strikingly with some OECD countries, e.g., Denmark, Finland and Sweden, where all demand is met, and quality service is considered an entitlement for families which local government is obliged to provide. In these countries too, parents can rely on the early childhood centre to contribute to the development and well-being of their young children, a consideration that sometimes appears secondary in the Canadian popular debate.

When comparing Canada to her European counterparts, a striking difference also arises in the funding of child care programs. The European Union reportedly recommends at least 1 per cent of GDP be targeted annually to publicly funded child care in its member states. The Campaign 2000 report notes that many exceed this recommendation. Can you imagine, 1 per cent of the GDP? It is interesting to note that 1 per cent of Canada's GDP would be approximately \$10 billion. Suddenly, if we use this standard, government's plan to invest \$5 billion over five years seems painfully short of that mark.

Honourable senators, the importance of early childhood education and quality child care cannot be overstated, nor should its value to Canada in economic terms be overlooked. In his reply to the Speech from the Throne, the Prime Minister said: “A high-quality system, open and available to all, affordable and geared to development ...” provides “... benefits to our economy...but most importantly, to the lives and the future of our youngest Canadians.”

Recent remarks made by the Governor of the Bank of Canada on the future of our workforce also touched on this same theme. David Dodge said:

...the first step to improving skills is to build an excellent infrastructure for early childhood development, feeding into a school system that effectively teaches basic skills if we are to boost literacy and numeracy rates among students.

I wholeheartedly agree with his statements.

I also believe that a person's ability to seize learning opportunities is fundamental to their success. I have seen it first-hand in my career as an educator and, indeed, in my personal life. While I am encouraged to see that this important issue has finally penetrated Canada's political agenda, I know that \$5 billion over five years represents a very humble start.

The Prime Minister himself has conceded that “federal support will need to be ongoing beyond these initial years.” It is my sincere hope that this support not only continues for years to come but that it grows exponentially so that all Canadian children in communities across this country are given the best possible start in life.

**The Hon. the Speaker:** If no other senator wishes to speak, this inquiry will be considered debated.

#### ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h) and rule 13(1), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, April 19, 2005, at 2 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, April 19, 2005, at 2 p.m.

# THE SENATE OF CANADA

## PROGRESS OF LEGISLATION

*(indicates the status of a bill by showing the date on which each stage has been **completed**)*

**(1st Session, 38th Parliament)**

**Thursday, April 14, 2005**

*(\*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)*

### GOVERNMENT BILLS (SENATE)

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-10	A second 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	04/10/19	04/10/26	Legal and Constitutional Affairs	04/11/25	0 observations	04/12/02	04/12/15	25/04
S-17	An Act to implement an agreement, conventions and protocols concluded between Canada and Gabon, Ireland, Armenia, Oman and Azerbaijan for the avoidance of double taxation and the prevention of fiscal evasion	04/10/28	04/11/17	Banking, Trade and Commerce	04/11/25	0	04/12/08	05/03/23*	8/05
S-18	An Act to amend the Statistics Act	04/11/02	05/02/02	Social Affairs, Science and Technology	05/03/07	0			

### GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-3	Bill, C-3, An Act to amend the Canada Shipping Act, the Canada Shipping Act, 2001, the Canada National Marine Conservation Areas Act and the Oceans Act	05/03/21	05/04/14	Transport and Communications					
C-4	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment	04/11/16	04/12/09	Transport and Communications	05/02/15	0	05/02/22	05/02/24*	3/05
C-5	An Act to provide financial assistance for post-secondary education savings	04/12/07	04/12/08	Banking, Trade and Commerce	04/12/09	0 observations	04/12/13	04/12/15	26/04
C-6	An Act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain Acts	04/11/18	04/12/07	National Security and Defence	05/02/22	0	05/03/21	05/03/23*	10/05
C-7	An Act to amend the Department of Canadian Heritage Act and the Parks Canada Agency Act and to make related amendments to other Acts	04/11/30	04/12/09	Energy, the Environment and Natural Resources	05/02/10	0	05/02/16	05/02/24*	2/05

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-8	An Act to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act	05/03/07	05/03/21	National Finance	05/04/14	0			
C-10	An Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts	05/02/08	05/02/22	Legal and Constitutional Affairs					
C-12	An Act to prevent the introduction and spread of communicable diseases	05/02/10	05/03/09	Social Affairs, Science and Technology	05/04/12	2	05/04/14		
C-14	An Act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other Acts	04/12/07	04/12/13	Aboriginal Peoples	05/02/10	0	05/02/10	05/02/15*	1/05
C-15	An Act to amend the Migratory Birds Convention Act, 1994 and the Canadian Environment Protection Act, 1999	04/12/14	05/02/02	Energy, the Environment and Natural Resources					
C-18	An Act to amend the Telefilm Canada Act and another Act	04/12/13	05/02/23	Transport and Communications	05/03/22	0 observations	05/03/23	05/03/23*	14/05
C-20	An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts	04/12/13	05/02/16	Aboriginal Peoples	05/03/10	0	05/03/21	05/03/23*	9/05
C-24	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to make consequential amendments to other Acts (fiscal equalization payments to the provinces and funding to the territories)	05/02/16	05/02/22	National Finance	05/03/08	0	05/03/09	05/03/10*	7/05
C-29	An Act to amend the Patent Act	05/02/15	05/03/07	Banking, Trade and Commerce	05/04/12	2	05/04/14		
C-30	An Act to amend the Parliament of Canada Act and the Salaries Act and to make consequential amendments to other Acts	05/04/13	05/04/14	National Finance					
C-33	A second Act to implement certain provisions of the budget tabled in Parliament on March 23, 2004	05/03/07							
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 ( <i>Appropriation Act No. 2, 2004-2005</i> )	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	27/04

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-35	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 ( <i>Appropriation Act No. 3, 2004-2005</i> )	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	28/04
C-36	An Act to change the boundaries of the Acadie—Bathurst and Miramichi electoral districts	04/12/13	05/02/01	Legal and Constitutional Affairs	05/02/22	0 observations	05/02/23	05/02/24*	6/05
C-39	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to enact An Act respecting the provision of funding for diagnostic and medical equipment	05/02/22	05/03/08	Social Affairs, Science and Technology	05/03/10	0	05/03/22	05/03/23*	11/05
C-41	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 ( <i>Appropriation Act No. 4, 2004-2005</i> )	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	12/05
C-42	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2006 ( <i>Appropriation Act No. 1, 2005-2006</i> )	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	13/05

## COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-302	An Act to change the name of the electoral district of Kitchener—Wilmot—Wellesley—Woolwich	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	4/05
C-304	An Act to change the name of the electoral district of Battle River	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	5/05

## SENATE PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act to amend the Citizenship Act (Sen. Kinsella)	04/10/06	04/10/20	Social Affairs, Science and Technology	04/10/28	0	04/11/02		
S-3	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/10/06	04/10/07	Official Languages	04/10/21	0	04/10/26		
S-4	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	04/10/06	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-5	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	04/10/07	04/10/26	Transport and Communications (withdrawn) 04/10/28 Legal and Constitutional Affairs					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-6	An Act to amend the Canada Transportation Act (running rights for carriage of grain) (Sen. Banks)	04/10/07							
S-7	An Act to amend the Supreme Court Act (references by Governor in Council) (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-8	An Act to amend the Judges Act (Sen. Cools)	04/10/07							
S-9	An Act to amend the Copyright Act (Sen. Day)	04/10/07	04/10/20	Social Affairs, Science and Technology					
S-11	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	04/10/19	04/10/26	Legal and Constitutional Affairs	05/04/12	2 observations			
S-12	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	04/10/19							
S-13	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	04/10/19	04/11/17	Legal and Constitutional Affairs					
S-14	An Act to protect heritage lighthouses (Sen. Forrestall)	04/10/20	04/11/02	Social Affairs, Science and Technology	05/03/21	0	05/03/23		
S-15	An Act to prevent unsolicited messages on the Internet (Sen. Oliver)	04/10/20		Subject-matter 05/02/10 Transport and Communications					
S-16	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	04/10/27		Subject-matter 05/02/22 Aboriginal Peoples					
S-19	An Act to amend the Criminal Code (criminal interest rate) (Sen. Plamondon)	04/11/04	04/12/07	Banking, Trade and Commerce					
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)	04/11/30		Subject-matter 05/02/02 Legal and Constitutional Affairs					
S-21	An Act to amend the criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	04/12/02	05/03/10	Legal and Constitutional Affairs					
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