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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Thursday, June 14, 2007

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

Prayers.

SENATORS' STATEMENTS

WORLD ELDER ABUSE AWARENESS DAY

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, on June 15, 2007, Canadians will join together to recognize the second annual World Elder Abuse Awareness Day.

World Elder Abuse Awareness Day was first declared last year by the World Health Organization and the International Network for the Prevention of Elder Abuse. It is an opportunity to raise awareness of the abuse of older adults as a means to prevent and combat all types of elder abuse. It is also an important opportunity to recognize the local, provincial, territorial and federal partnerships that promote the safety, security and well-being of seniors.

In Canada, elder abuse has become a priority issue for all levels of government. Elder abuse exists in many ugly forms whether it be physical, emotional, verbal, financial or even sexual. Many seniors do not report abuse. They often feel isolated and afraid to speak out. As a result, elder abuse remains largely hidden behind closed doors.

• (1335)

Canada's new government has already taken action to reach out to the senior population to raise awareness of the existence of elder abuse and to let seniors know that help is available.

Budget 2007 announced an additional \$10 million increase to the New Horizons for Seniors program, from \$25 million to \$35 million. Some of this additional funding will be used to combat elder abuse and fraud and to invest in community programs to raise awareness.

Our government also recently established the National Seniors Council to advise the Minister of Human Resources and Social Development, the Minister of Health and myself on issues of national importance to seniors. I am very proud to be leading this council in its day-to-day activities.

As Secretary of State for Seniors, I have asked council to focus its work on two hugely important issues: first, raising awareness to combat elder abuse; and, second, providing support to low-income single senior women.

Honourable senators, we need to work together to stand up for those who have helped build this country to make it what it is today. World Elder Abuse Awareness Day offers the opportunity to change attitudes and behaviours when it comes to the abuse of older adults. I ask that all honourable senators work to help our

government reach out to seniors' communities so that we can break down the wall of silence and show Canadians that elder abuse exists, that it is not tolerated and that there is help available in our communities.

[Translation]

THE HONOURABLE DAN HAYS, P.C.

TRIBUTE

Hon. Pierre De Bané: Honourable senators, I rise today to pay tribute to Senator Dan Hays, who will soon be retiring.

As you all know, Senator Hays has been sitting in this chamber as a senator for Alberta for almost 23 years. During this time, Senator Hays was Deputy Leader of the Government in the Senate, Speaker of the Senate and Leader of the Opposition in the Senate.

[English]

Senator Hays was appointed as senator for Calgary, Alberta on June 29, 1984, by Prime Minister Pierre Trudeau. He followed in the footsteps of his late father, the famous Harry Hays, who had been a minister, as well as a senator, from 1966 to 1982. Together, they have developed the Hays Converter Cattle, the first registered purebred cattle to be developed in Calgary.

Dan Hays was elected by the members of my party as President of the Liberal Party of Canada.

[Translation]

In addition to his major role in the cattle breeding sector, Senator Hays had a successful career in law with the Macleod Dixon firm in Calgary.

[English]

During Senator Hays' time in the Senate, Calgary came of age. Calgary hosted the Winter Olympics in 1988 and the Calgary Flames won the Stanley Cup in 1989. The city grew tremendously and is now the fifth-largest metropolitan area in Canada.

[Translation]

In the Senate, he chaired the Standing Senate Committee on Agriculture and Forestry as well as the Standing Senate Committee on Energy, the Environment and Natural Resources, which are both extremely important to Alberta.

[English]

Most recently, Senator Hays served as Chairman of the Special Senate Committee on Senate Reform, another subject dear to the hearts of Western Canadians. He is the author of a very thoughtful research paper *Renewing the Senate of Canada: a Two-Phase Proposal*, which reviewed both the Canadian context and several Parliaments of the British parliamentary tradition.

Senator Hays has also worked hard on the international stage, particularly in fostering closer ties with Japan. When he was a child, he formed lasting friendships with Japanese Canadians who worked on his father's farm.

Senator Hays first travelled to Japan in 1970 in search of new export markets for Canadian purebred livestock. As a senator, he continued to work to improve the relationship between Canada and Japan and served as Chairman of the Canada-Japan Inter-Parliamentary Group and the Asia Pacific Parliamentary Forum. In 2000, in recognition of Senator Hays' efforts, the Emperor of Japan awarded him the Grand Cordon of the Order of the Sacred Treasure. Only two Canadians have had this honour.

As a French Canadian, I also want to pay tribute to what Senator Hays has done to master the French language. Not only has he learned to speak the language, and to speak it beautifully, but he has also travelled extensively in the province of Quebec. Last January, Prime Minister Harper appointed him as a member of the Privy Council in homage to his exceptional contribution to the political life of our country.

• (1340)

I was appointed to the Senate on the same day as Senator Hays, and it has been an honour and a privilege to serve the people of Canada alongside him. He has been a true asset to this institution.

[Translation]

I want to wish Senator Hays and his dear wife Kathy much happiness and tell them how much we have appreciated the great contribution they have made to our institution.

[English]

NATIONAL PUBLIC SERVICE WEEK

Hon. Donald H. Oliver: Honourable senators, I am a strong supporter of the Public Service of Canada. Therefore, I am pleased to rise today to say a few words about this week, June 10 to 16, as being National Public Service Week.

In 1992, the Professional Institute of the Public Service of Canada proposed the idea of recognizing the contributions of federal employees throughout the Public Service of Canada to instil pride in their work and the services they provide to millions of Canadians on a daily basis. This is an opportunity to reflect on the many contributions federal employees make to Canadian society and to the quality of life that we all enjoy. It is important to honour the hard work and dedication of the women and men of the Public Service of Canada, who are some of Canada's most precious resources because they are an example of the type of leadership other Canadian organizations can model themselves on.

This year's National Public Service Week is being advertised nation-wide by airing four one-minute video clips featuring important work implemented by public servants, such as that of our international tax auditors, marine research scientists, computer systems specialists and engineers.

This year, the Professional Institute of the Public Service of Canada has two events to mark this important week. The theme of this year's photo contest is, "Keeping the circle strong:

[Senator De Bané]

Connecting our generations!" The photo contest was open to public service employees employed by the various institutions of the federal public administration as listed in Schedules I, IV and V of the Financial Administration Act and to the Canadian Forces.

Five finalists, one for each day of the week, will be selected from a group of 25, with the day's winners appearing on the Canadian Public Service Agency's website. The five winners will receive a coffee table book entitled *Canada in a Thousand Pictures*. It is the creation of Eugene and Gretl Kedl and captures the beauty and many treasures that Canada has to offer from coast to coast.

The second event taking place this week is the coveted 2007 Public Service Award of Excellence Ceremony. This award recognizes employees who have demonstrated excellence in the achievement of results for Canadians. There are seven categories for the award and a total of 109 nominations were received this year.

Honourable senators, these events were designed to highlight a week of gratitude for public service employees and praise for the hard work that they do in making Canada a model for the world. Given our commitment to democracy, equality, diversity and our international reputation as being proactive in human rights and employment equity legislation, Canada is a leader that the rest of the world can look to for assistance and leadership.

Honourable senators, this past week in Canada was about enhancing public awareness and respect for Canadians who serve their country and who have made Canada's public service one of the most highly respected in the world.

[Translation]

WORLD ELDER ABUSE AWARENESS DAY

Hon. Maria Chaput: Honourable senators, Friday, June 15 is World Elder Abuse Awareness Day. Why must we raise awareness of this issue? Why must we recognize that elders are abused? Why must we acknowledge that this is the reality for many of our elders who often suffer in silence?

The board of directors of the Canadian Network for the Prevention of Elder Abuse is made up of 15 members representing Canada's provinces and territories. The network meets monthly via videoconference. It promotes the establishment of round tables in each of Canada's provinces and territories.

According to the network, elder abuse remains a serious social problem. National research shows that between 4 and 10 per cent of Canadian seniors are victims of abuse. This means that between 165,000 and 413,000 Canadian seniors are victims of abuse or mistreatment.

The network promotes awareness activities. In 2006, 105 towns and cities in Canada held elder abuse awareness activities. I would like to thank everyone involved in raising awareness of this tragic reality.

Tomorrow, Friday, June 15, let us think of and pray for elders who are abused and mistreated, often in silence. We have to talk about this and find solutions to this unacceptable problem.

• (1345)

[English]

CONFEDERATION BRIDGE

TENTH ANNIVERSARY

Hon. Lowell Murray: Honourable senators, this is a month of anniversaries. It is 10 years since the Confederation Bridge was officially opened — the long sought “fixed link” between Canada and Prince Edward Island. Although our colleagues from the Island cannot find words to express the gratitude that is in their hearts, it is a great nation-building achievement of the Mulroney government.

It was 14 years Monday that the provincial legislature, under the leadership of Premier Catherine Callbeck, unanimously approved the constitutional amendment that was necessary to relieve Canada of the obligation to provide a ferry service, which ceased operation with construction of the new link. It is almost 20 years since her predecessor, the late Premier Joseph A. Ghiz, held a plebiscite on the Island that resulted in 58 per cent approval for the project.

It will be 14 years next Sunday, June 17, since our former colleague Senator Orville Phillips introduced Government Bill C-110, the Northumberland Strait Crossing Bill, which authorized the undertaking. At one point during the debate, Senator John B. Stewart of Nova Scotia questioned Senator Phillips about the possible effect of the proposed link on the lobster fishery in his area. Senator Phillips replied:

I would point out to the Honourable Senator Stewart that a lobster does not move very far from its place of origin. A lobster is very much like a Liberal. It does not move forward; it moves backwards. Consequently it does not travel very far.

Some Hon. Senators: Hear, hear!

Senator Murray: To which Senator Stewart retorted:

You may know how to eat lobsters, but you do not know much more than that about them.

Indeed, Senator Phillips may have taken some liberties with the biology, but, as always, his political observation was spot-on.

The construction and completion of the Northumberland Strait crossing — on time and on budget — was a tremendous feat of engineering and construction, a considerable achievement in federal-provincial relations and a truly historic undertaking in public-private sector collaboration. The private sector financed, built, operates and maintains the crossing. The annual federal subsidies — \$42 million in 1992 dollars — will, in the end, cost less to the treasury than continuance of the ferry service would have done.

In recalling the federal-provincial political leadership and the engineering genius that conceived and created the project, let us remember also and always the hundreds of people who actually did the work on site under sometimes challenging weather conditions and to whom we owe credit for its successful completion.

The Confederation Bridge is itself a major tourist attraction as well as a vital element in our economic infrastructure. I know it is a real benefit to Canada, and I hope and believe it is thus also to the people of Prince Edward Island.

NATIONAL ABORIGINAL DAY

Hon. Francis William Mahovlich: Honourable senators, today I rise to speak about an important upcoming national day of celebration — National Aboriginal Day. First proclaimed a national day of celebration by Governor General Roméo LeBlanc in 1996, June 21 has become a day upon which Aboriginal peoples across Canada can share their pride and culture with their families, neighbours and friends. This day also marks an opportunity for all Canadians to celebrate and recognize the contributions of Aboriginal peoples to this great nation.

On June 21, events will take place across Canada, from coast to coast, to celebrate the contributions of Inuit, Metis and First Nations peoples. Some of the activities scheduled to take place will include art exhibitions, theatre and musical performances and even community feasts.

As honourable senators know, it is important to honour and celebrate the Aboriginal peoples of this nation. For many years, Aboriginal people have been treated with a lack of respect that is very disheartening.

Recently, I read a story about Kelly Morrisseau, a young Aboriginal girl, mother of three and seven months pregnant, who was brutally murdered in December of last year. A fund was created to help provide a reward for information leading to an arrest in her case. After the Assembly of First Nations doubled the amount, the total of the reward fund was a mere \$4,000. In comparison, the funds for the rewards offered for information regarding two other young Ottawa girls murdered in the last few years were \$50,000 and \$100,000. This discrepancy is simply not acceptable.

• (1350)

It is my sincere hope that on National Aboriginal Day, Canadians across this vast land will realize how much the unique culture and heritage of our Aboriginal Peoples has to offer us. Celebrations such as this will continue to enrich our country with the wonder that is the Aboriginal spirit.

[Translation]

ROUTINE PROCEEDINGS

CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-59, to amend the Criminal Code (unauthorized recording of a movie).

Bill read first time.

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

[Translation]

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

[English]

NUNAVIK INUIT LAND CLAIMS AGREEMENT BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-51, to give effect to the Nunavik Inuit Land Claims Agreement and to make consequential amendments to another act.

Bill read first time.

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

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

[Translation]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-23, to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments).

Bill read first time.

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

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

• (1355)

[English]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

PARLIAMENTARY MISSION TO PORTUGAL AND SECOND PART OF 2007 ORDINARY SESSION OF COUNCIL OF EUROPE, APRIL 12-20, 2007— REPORT TABLED

Hon. Lorna Milne: Honourable senators, I have the honour to table, in both official languages, the report of the delegation of the Canada-Europe Parliamentary Association to the Parliamentary Mission to the Country that will next hold the European Union Presidency and the Second Part of the 2007 Ordinary Session of the Parliamentary Assembly of the Council of Europe held in Lisbon, Portugal and Strasbourg, France from April 12 to 20, 2007.

QUESTION PERIOD

NATIONAL DEFENCE

AFGHANISTAN—AGREEMENT FOR TREATMENT OF DETAINEES

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

After the government's numerous contradictory statements regarding the role of the Red Cross and the Afghanistan Independent Human Rights Commission in the supervision of the detainees, after the Prime Minister acknowledged the seriousness of the allegations of torture, but before accusing the opposition of being too soft on the Taliban, now the Red Cross is confirming that it does not play any part in the open investigations conducted by the government in Kabul, contradicting the statements made by the Canadian government, which said that the Red Cross was a part of its special agreement in Kabul.

After all the denigration and scorn, the contradictions and rebuffs, the bungling and improbabilities, can the Leader of the Government in the Senate please tell us how the government will adopt a transparent approach when it comes to prisoners of war in Afghanistan? When will this government do everything it can to ensure that Canada can once again, and finally, honour the third Geneva Convention relative to the treatment of prisoners of war?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I wish to thank the honourable senator for that question. I presume she is basing her question on news stories that appeared in *Le Devoir* today.

The International Committee of the Red Cross has a right to visit detainees at any time. This right derives from international law. The arrangement in place with the previous government has been enhanced, and it in no way creates any obligations on the part of the ICRC. The enhanced agreement simply clarifies the position and what is expected of the Government of Afghanistan. It places the onus on the Government of Afghanistan to advise Canada, the Afghanistan Independent Human Rights Commission and the International Committee of the Red Cross of any corrective action it is taking to remedy instances or alleged instances of prisoner abuse.

[Translation]

Senator Hervieux-Payette: The Leader of the Government in the Senate will recall that the Minister of Foreign Affairs and the Prime Minister gave their personal assurances that, once a Taliban captured by the Canadian Forces in Afghanistan was

turned over to the Afghan authorities, an inspection would be conducted to determine whether that person was being treated properly under the convention.

Admittedly, we are dealing with a country that is learning about human rights and needs some guidance in that area. That is what we expected the government to provide. It would appear that the government is offloading its obligations by trying to lay the responsibility on the Red Cross. Under the Geneva Convention, the Canadian government must enforce this obligation and ensure that, once they are taken prisoner, detainees are treated properly.

Can the Leader of the Government in the Senate tell us what documents have been signed with the Red Cross to report on this? Which independent organization other than the Afghan government is monitoring the integrity of the process? How does the Department of Foreign Affairs make sure this process is transparent? Can we have access to these agreements?

• (1400)

[English]

Senator LeBreton: Honourable senators, everything the honourable senator said in her question is correct. I want it to be very clear that it has been acknowledged by everyone that Canadian Forces have not been accused of and have in no way been involved in any of the alleged abuse of Taliban prisoners.

The enhanced agreement provides the Canadian government with the assurance that the Government of Afghanistan meets its obligations to the Afghanistan Independent Human Rights Commission, the Government of Canada and the International Committee of the Red Cross. This agreement in no way inhibits the abilities of the ICRC; its abilities remain the same as they have always been. The ICRC has the right, under international law, to visit detainees at any time.

The enhanced agreement, which built upon the agreement of the previous government and clarified the responsibilities of the Government of Afghanistan, in no way interferes with the International Committee of the Red Cross. As it would in the normal course of events, the ICRC has free access under international law. This enhanced agreement imposes no additional responsibilities or onus on that body.

HEALTH

FUNDING FOR CANADIAN HOSPICE PALLIATIVE CARE ASSOCIATION

Hon. Marilyn Trenholme Counsell: Honourable senators, my question is directed to the Leader of the Government in the Senate. I will be referring to the 2007 edition of the newsletter from the Canadian Hospice Palliative Care Association, written by the executive director, Sharon Baxter. In this newsletter she said that in the fiscal year 2007, the association saw its entire federal government funding cut. The entire budget is gone.

I know that the Honourable Leader of the Government in the Senate is very concerned about seniors and is the minister responsible for them. Therefore, what has she done to restore this funding for the Canadian Hospice Palliative Care Association, which is very important, especially for seniors?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I thank the senator for her question.

In Budget 2006 and Budget 2007, the government allocated significant amounts of money for seniors in a number of areas, including through the health care system.

I will have to take the question about the funding of the Canadian Hospice Palliative Care Association as notice. I will obtain an answer as soon as possible.

Senator Trenholme Counsell: This is the minister's area of responsibility and I would like to hear her view and hopefully a word of support for the Canadian Hospice Palliative Care Association.

In this newsletter, it is reported that, sadly, Health Canada's secretariat on these issues was retired effective March 31, 2007. That is certainly not good news for those suffering at the end of their lives, be they young or old, although most are seniors, like many of us.

There was, however, some good news. The executive director also said that much has been achieved through the past four years through the strategy and the millions of dollars invested by the federal government. That is all cut now.

• (1405)

I would like to have the minister responsible for seniors comment on the value of an organization such as the Canadian Hospice Palliative Care Association.

Senator LeBreton: In answer to the honourable senator's question, I believe in the new transfers to the provinces, the Canada Social Transfer and other transfers, some of the programs are funded through a different arrangement. That is why I specifically will undertake to provide a detailed answer for the honourable senator.

With regard to being supportive of groups that provide services for our seniors, whether it is in extended care or palliative care, I applaud and honour all organizations that devote their time and energies to the care of our citizens, most particularly as our citizens get older. As I said, the specific case the honourable senator raises is one for which I will obtain a response.

PALLIATIVE CARE—PATIENT WAIT TIMES

Hon. Hugh Segal: Honourable senators, when making those queries, might the Leader of the Government in the Senate inquire with respect to the ultimate wait time issue, which is palliative care? While the government has admirably discharged its commitments across Canada with respect to wait times for various surgical and other procedures, might she inquire as to the possibility of this other matter being added as a policy priority in relationship with the provinces given its importance demographically and in terms of humanity to the vast majority of our fellow citizens either because of family or other connections?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I certainly will. As we know from our aging population, this demographic is growing very quickly. I would be happy to add that to the question I submit to the Department of Health.

PALLIATIVE CARE—AUDIT OF PROVINCIAL FUNDING

Hon. Hugh Segal: In making that inquiry, would it be possible to ask whether the federal Department of Health could seek to audit provincial activities with respect to the refusal of many provinces to fund palliative care spaces in local hospitals and also in local non-hospital facilities set up by palliative care groups and hospice organizations? This is one of the most difficult problems facing hospice groups across Canada.

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, Senator Segal raises a valid concern. It is something he has dealt with not only at the provincial level but at the federal level. I am speaking of the guarantee that funds transferred from the federal government to the provinces are in fact used to provide the services for which they were intended. I will definitely add that question to the list.

FUNDING FOR END-OF-LIFE STRATEGY PROGRAM

Hon. Sharon Carstairs: Honourable senators, I ask the Leader of the Government in the Senate to explain to Senator Trenholme Counsell and Senator Segal how that will be possible when the funding available to Health Canada's end-of-life strategy has been less this year than it has in the last four years?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the Honourable Senator Carstairs has raised this issue in the chamber before, as well as in the Special Senate Committee on Aging.

I believe I provided a reasonable response for the honourable senator in the past. This area of jurisdiction and delivery of health care has always been hard to manage. However, with respect to the honourable senator's specific question, I will again seek to obtain a response as to exactly how much funding has been earmarked for palliative care and under which programs that funding presently exists.

VETERANS AFFAIRS

VETERANS INDEPENDENCE PROGRAM— COMMENTS OF PRIME MINISTER AND MINISTER—REPRESENTATIONS OF MS. JOYCE CARTER

Hon. Lorna Milne: Honourable senators will be surprised to learn that I want to congratulate the government for standing by its commitment — wait for it.

Senator Comeau: We have a real zinger coming.

• (1410)

Senator Milne: I am congratulating the government for standing by its commitment to extend Veterans Independence Program services to widows of all Second World War and Korean War veterans.

How difficult it must have been for the leader of this government to admit he was wrong; to swallow his pride and recommit himself to a promise that he and the Conservative Party made in 2005 to Ms. Joyce Carter, party supporters and all Canadians.

Honourable senators, Jane Taber describes Joyce Carter as 80 years old, five feet tall, diabetic and afraid to fly. Yesterday Ms. Carter, after flying from Nova Scotia to Ottawa, lectured the Prime Minister for 13 minutes on the importance of keeping his promise. He then apparently said that in the next budget he would extend the program to the widows of all Second World War and Korean War veterans.

My question for the Leader of the Government in the Senate is simple: Is this what it takes for this government to live up to its promises? Does an 80-year-old woman have to stand face-to-face with the Prime Minister until he admits he made a mistake in not fulfilling a commitment he made to her in writing? If so, honourable senators, expect busloads of seniors to arrive any day now to speak to the Prime Minister on the income trust issue.

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I saw this event on television last night. You people really must get a new playbook.

Some Hon. Senators: Oh, oh.

Senator LeBreton: On this idea of people coming to Ottawa, I remember a previous occasion in the person of Solange Denis over the indexing of pensions.

The fact is, we were elected in January 2006 and sworn in on February 6, 2006. We made many written commitments in our platform. We have been here one year and three months and within the mandate of government, we have four years to go.

In terms of the Veterans Independence Program, as Minister Thompson said last night, we will honour our commitments to veterans. As I answered in response to Senator Callbeck last week, Veterans Affairs is conducting a comprehensive review of its health care programs and services to veterans, which Minister Thompson initiated last year. The minister wants to get it right this time as many of the programs had experienced massive cuts in the past. There Minister Thompson has made it clear that he does not want to do anything piecemeal.

We will get the Veterans Independence Program right the first time, and that is why we are taking some time. We have added 12,200 clients to the program in the past year and we have increased our spending on veterans by \$523 million a year over the allocation in the previous government's last budget.

This fine woman has said that she has received her money. When discussing this incident this morning, I said that she is lucky she did not encounter the former Prime Minister because he probably would have strangled her.

Senator Milne: I guess I want to thank the Leader of the Government in the Senate for her answer, although it seems to me that it is slightly disrespectful to refer to honourable senators as "you people."

I would also like to know if Ms. Carter will be receiving a formal apology from the Minister of Veterans Affairs after he publicly denied the authenticity of a letter signed by the Prime Minister to Ms. Carter committing the Conservative Party to the extension of the Veterans Independence Program in June 2005.

During testimony to the House of Commons Standing Committee on Veterans Affairs, the Minister of Veterans Affairs denied the fact that the Prime Minister signed the letter and further argued that he had not written it. Furthermore, the minister has been quoted in the media as saying extending the VIP program is a “silly promise.”

• (1415)

With a minister who appears unwilling to commit himself to fulfilling the promises made by his leader, how can Canadians really believe this change will truly happen? Will my honourable friend, as Leader of the Government in the Senate and because she is Secretary of State for Seniors, commit herself to assuring that this promise is kept by her government?

Senator LeBreton: I thank the honourable senator for the lecture. I said “you people” because I was referring to the Liberal Party and Liberal MP Dan McTeague who staged all of this, just like Mr. Boudria did with Solange Denis in her infamous “goodbye Charlie Brown” comment, and then subsequently had Paul Martin and Jean Chrétien go to her birthday party. That is why I said that you have to get a new playbook.

If the honourable senator checks the record, and veterans organizations would support this, no government — certainly not the previous one — has committed itself and done more for our veterans and for our military than the current one. The VIP program has been in the works for some time. Minister Thompson is going through a review in the proper way, supported by veterans groups. I feel very confident that not only are veterans better off now, but they will continue to be better off under this government, just as senior citizens are under my new watch as Secretary of State for Seniors.

Hon. Yoine Goldstein: Since the Leader of the Government in the Senate has mentioned a need for a new playbook, can we borrow her committee playbook?

Senator LeBreton: I do not have a committee playbook.

NATIONAL DEFENCE

AFGHANISTAN—STATUS OF WAR

Hon. Pana Merchant: Honourable senators, my question is to the Leader of the Government in the Senate. Will the minister provide to me, and other honourable senators who may be interested, the PCO documents provided to Jeff Esau pursuant to an access to information request as reported on the front page of *The Globe and Mail* this morning?

These briefing notes prepared for Gregory Fyffe are extensive. Since the government has not asserted Crown privilege in that they were released under an access to information request, will the

minister accommodate me and others interested by obtaining and providing these documents on an early and timely basis?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for her question. I assume she is referring to the documents with regard to the situation in Afghanistan. I will take her question as notice, refer it to the proper authorities in the Privy Council Office and get back to her with a delayed answer.

FINANCE

SASKATCHEWAN—EQUALIZATION PAYMENTS

Hon. Robert W. Peterson: Honourable senators, my question is to the Leader of the Government in the Senate. Following the vote on the budget yesterday, the headline in the Saskatoon *StarPhoenix* said it all: “Betrayed.” The 12 Conservative MPs from Saskatchewan all voted against their province by supporting the budget which limits the resource revenue Saskatchewan will receive by placing a cap on the amount. This was done contrary to a letter signed by the now Prime Minister Stephen Harper prior to the 2006 election that unequivocally stated that 100 per cent of non-renewable resource revenues would be excluded in determining the equalization calculation. This means that Saskatchewan will be losing out on more than \$878 million per year if no cap existed.

These are the same 12 MPs who after the budget came out in 2006 wrote to the Prime Minister indicating they would have a difficult time getting re-elected if that promise was not corrected. One of the 12 in a prior interview even acknowledged that, “Yes, if we made that promise, we should keep it.”

Why is it that when it is convenient for the government, such as dismantling the Canadian Wheat Board, they rationalize it by saying they were elected to do this and are therefore responding to the wishes of the people? Why, then, when dealing with equalization and a promise made to the people of Saskatchewan and acknowledged by the government’s own MPs, does it elect to turn its back on them?

There is only one word to explain it: Betrayed.

• (1420)

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for his question.

I find it rather amusing that the Government of Saskatchewan, an NDP government, would be shunning the fact that they are now a “have” province instead of a “have not” province.

The most interesting aspect of all of this is that Saskatchewan is the biggest winner in the budget vis-à-vis equalization. Since I am on my feet, I will address this matter further.

Our government committed to bringing in a new equalization formula that would be based on clear principles and treat everyone equally. We accepted in large measure the recommendations of the O’Brien commission, a commission that was set up by the previous government and which

reported. We have delivered for the people of the province of Saskatchewan, including our commitment to have a full exclusion of natural resources.

Budget 2007 is a great budget for the people of Saskatchewan. We delivered \$878 million in new money for the province, the largest per capita gains of any province under the fiscal balance package. Under our budget, Saskatchewan will receive a record total of \$1.4 billion in federal funding. There is \$878 million in new funding, as I have said. Saskatchewan farm families will receive \$250 million; \$92 million in tax relief for Saskatchewan taxpayers; \$75 million for infrastructure, which everyone knows is one of the big, unsung “heroes” of the budget; \$180 million is available for the Iogen biofuels project in Saskatchewan; and there is \$10 million for the police research centre.

I fail to understand how anyone can argue that Saskatchewan is not being fully supported and has not been a big winner in the budget of 2007.

Senator Peterson: A promise was made to the people of Saskatchewan and a promise was broken. Does the Leader of the Government in the Senate concur?

Senator LeBreton: Actually, promises were not broken. I do understand the province of Saskatchewan. As a matter of fact, my first years in the Conservative Party were spent traipsing all over Saskatchewan with the Right Honourable George Diefenbaker and the Right Honourable Alvin Hamilton.

Hon. Pana Merchant: Governments speak through the agreements that they sign and the commitments that are given by their political leaders. We in Saskatchewan really do feel betrayed. We do not need to hear about what the government is giving to Saskatchewan. We are questioning why the Prime Minister and the members in Saskatchewan are breaking their promises to us.

Senator LeBreton: I think the honourable senator is misinformed. I would ask her to produce a signed document or signed accord.

The fact is that Saskatchewan is now a “have” province. Through the O'Brien commission, which was commissioned by the previous government, a formula was put in place to resolve the equalization issue from year to year.

Saskatchewan is the biggest winner in the budget. Certainly, this government has done more for Saskatchewan in one and a half years than the previous government, especially Ralph Goodale, has done in 13 years.

[Translation]

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

CONFERENCE BOARD OF CANADA— ANNUAL REPORT—INNOVATION

Hon. Claudette Tardif (Deputy Leader of the Opposition): My question is for the Leader of the Government in the Senate. This week, the Conference Board of Canada released its annual report,

which is very critical of Canada's performance in a number of areas. According to today's issue of *Le Devoir*:

A harsh report by the Conference Board of Canada says that Canada's failure to innovate in several socio-economic areas is gradually turning the country into a land of mediocrity.

Canada receives two “D” grades, in innovation and the environment.

Can the Leader of the Government in the Senate tell us what the government, after 16 months in power, plans to do to stimulate innovation, increase productivity and help Canada catch up to other countries in terms of competitiveness?

• (1425)

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for the question. I read the report of the Conference Board of Canada because I am interested in the various studies, no matter where they are from. The honourable senator asked what the government will do in terms of increasing Canada's grade. Canada received good grades in some areas and not good grades in other areas; it depends how much faith individual Canadians put in reports of the various study groups. The government has acted on the issue of productivity and competitiveness. A substantive document was released last fall by the Minister of Finance entitled, *Advantage Canada*. I would be happy to provide the honourable senator with a copy.

On the issue of the environment, as Senator Segal pointed out, Canada is faced with a situation that is well known. I am pleased to say that the plans announced for the environment now have the legitimacy of the European Union and the G8. The government has begun to implement some plans in Advantage Canada and regulations are being written in regard to the environment. All Canadians are becoming involved in the importance of clean air, clean water and reducing greenhouse gases such that the report card will be much better next year.

THE SENATE

TRIBUTE TO DEPARTING PAGES

The Hon. the Speaker: Honourable senators, before proceeding to Orders of the Day, let us say farewell to two of our departing pages. Joseph-Daniel Law, from Tecumseh, Ontario, is honoured to have served as a page these past two years. He will graduate this year with an honours degree in political science and a minor in criminology from the University of Ottawa. He intends to pursue his master's degree abroad, specializing in either international relations or diplomatic studies. He hopes to join the foreign service after his education.

After one year with us in the Senate Page Program, Colleen Leminski, from Ottawa, will graduate this fall with an honours degree in Psychology from the University of Ottawa. She plans to pursue graduate studies and wishes to thank all honourable senators, staff and fellow pages for making this past year one that she will cherish.

[Senator LeBreton]

OLYMPIC AND PARALYMPIC MARKS BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-47, respecting the protection of marks related to the Olympic Games and the Paralympic Games and protection against certain misleading business associations and making a related amendment to the Trademarks Act.

Bill read first time.

The Hon. the Speaker: When shall this bill be read the second time?

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

[Translation]

ORDERS OF THE DAY

CANADA ELECTIONS ACT
PUBLIC SERVICE EMPLOYMENT ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Nolin, seconded by the Honourable Senator Stratton, for the third reading of Bill C-31, to amend the Canada Elections Act and the Public Service Employment Act, as amended;

And on the motion in amendment of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Robichaud, P.C., that Bill C-31, as amended, be not now read a third time but that it be amended,

(a) on page 15, by adding after line 30 the following:

“37.1 Subsection 487(1) of the Act is replaced by the following:

487. (1) Every person is guilty of an offence who contravenes

(a) paragraph 111(b) or (c) (applying improperly to be included on list of electors); or

(b) paragraph 111(f) (unauthorized use of personal information contained in list of electors).”;

(b) on page 16, by adding after line 29 the following:

“39.1 (1) Subsection 500(2) of the Act is replaced by the following:

(2) Every person who is guilty of an offence under any of subsection 485(1), paragraph 487(1)(a), subsections 488(1), 489(2) and 491(2), section 493 and subsection 495(2) is liable on summary conviction to a fine of not more than \$1,000 or to imprisonment for a term of not more than three months, or to both.

(2) Section 500 of the Act is amended by adding the following after subsection (3):

(3.1) Every person who is guilty of an offence under paragraph 487(1)(b) is liable on summary conviction to a fine of not more than \$5,000 or to imprisonment for a term of not more than one year, or to both.”.

Hon. Pierre Claude Nolin: Honourable senators, on the motion in amendment of Senator Joyal, after customary consultations, the government has asked me to inform you that it accepts, with enthusiasm, the amendment proposed by Senator Joyal, and will act accordingly.

• (1430)

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

[English]

Hon. George Baker: No, Your Honour.

Honourable senators, I want to put on the record very briefly the fact that the government side and other honourable senators in this house cooperated fully to try to improve this bill as much as possible. Members of the Standing Senate Committee on Legal and Constitutional Affairs deserve everyone's congratulations for stopping the potential of putting people at risk for identity theft — which was contained in this proposed legislation when the Senate received it — and permitting telemarketers to prey on senior citizens.

Without the Senate, in this particular instance, we would have had a bill that would have been a disaster. The Senate amends about 12 per cent of the legislation referred to it by the House. This is one instance where the Senate has come forward to make amendments to a bill that should never have passed the House of Commons in the form that it was in.

Fellow senators, the explanation given by the government for this bill was that it was being supported by the government “in the spirit of cooperation.” That is, it was passed with some unanimity in the other place, and it was the creation of a House of Commons committee of elected politicians. The bill was a reflection of that fact — that elected politicians had created the bill and wished it to be passed without consideration of its faults, and there were many faults.

What we have left is a bill, honourable senators, that is not yet acceptable, yet it is certainly better than it was when the Senate received it. However, there will be some fallout. I am voting for the bill because I happen to be of the principle that it would be a rare occasion that I would vote against a measure passed by the House of Commons. I have always felt that way about the Senate, but every rule has its exception.

Some Hon. Senators: Hear, hear!

Senator Di Nino: Tell us more!

Senator Baker: One should never quarrel with the trier of fact, except in extraordinary circumstances where perhaps the measure would run counter to the conscience of our community. There are instances such as that, of course, that we do have. In the case of this bill, as Senator Nolin and other senators have pointed out, it is a huge change in what we have been doing in Canada as far as our elections are concerned.

Senator Joyal pointed out that the Chief Electoral Officer said they investigated 11,000 registrants on the day of the election in Trinity—Spadina in the last election campaign. There were 11,000 people who came in and registered for the first time. The Liberals and the Conservatives cried foul and said, “Well, there has to be some fraud there.”

An Hon. Senator: There was.

Senator Baker: Just a second now, honourable senators. I will get to the facts after I deal with the alleged facts.

Senator Di Nino: He is just getting warmed up. Leave him alone.

Senator Baker: The Chief Electoral Officer went out and explained to the committee that his investigation was thorough. In other words, he gave resources to this thorough investigation of these 11,000 people who registered on election day. As Senator Joyal pointed out a minute ago, the Chief Electoral Officer said that all of them — except one, perhaps — had a right to vote. All of them except one. They are not sure whether or not that one had a right to vote because that person is presently outside of the country. However, they could verify that all except one had a right to vote.

The Chief Electoral Officer then said, in further evidence that that office had investigated all of the complaints sent to them, they have not found fraud.

What shocked me even more was the evidence of the Privacy Commissioner, who said that she had examined all of the evidence before the House of Commons standing committee that recommended this bill that we stop fraud, and she came to the conclusion that there was not one shred of evidence that there was fraud before the House of Commons committee.

That is the Privacy Commissioner, so what does one do? Does one say that the Privacy Commissioner does not know what she is talking about; the Chief Electoral Officer does not know what he is talking about; and you deal with the reality of rumour, of supposition, of alleged actions? The evidence is not there.

The unfortunate part, honourable senators, is that the Chief Electoral Officer and his staff were questioned on what will now happen in the next election, with the passage of this bill, to those 11,000 people who had a right to vote in Trinity—Spadina. What will happen to them? Will they be allowed to vote?

Senator Segal: Of course.

Senator LeBreton: If they are on the voters' list.

Senator Baker: We had a thorough discussion, and only one person who is registered to vote in each voting station can vouch for someone else.

Senator Stratton: To avoid the busload.

Senator Baker: We hear many opinions across the way, honourable senators, but the Chief Electoral Officer, in his answer to the committee, said that he did not know how many. It was then put to him: What about three quarters? “Well, perhaps not.” What about one half? “I do not know.”

The amount of one half would equal 5,500 Canadians who would not be allowed to vote under these new regulations, even though they have a right to vote.

Then we heard evidence of people on social assistance. Think for a moment, honourable senators, about someone in those circumstances. Suppose there are four or five people in a home; maybe one of them has a driver's licence, maybe none of them has a driver's licence. A voter must have government-approved picture ID. What do the people do? There may be a father and a mother and maybe two or three children of voting age.

Senator Segal: There is the health card.

Senator Baker: They are on the voters' list.

Senator Oliver: Statutory declaration.

Senator Baker: Only one person can vouch for another person in that polling booth. What happens to the students? What happens to the transient population? What happens to Aunt Suzy who has never driven in her life, whose picture is not on her MCP card?

Senator LeBreton: She has a health card.

Senator Baker: She may not pay the light or plumbing bill in her house. What does she do?

Senator Di Nino: Oh, she is avoiding it.

An Hon. Senator: Where does she live?

Senator Baker: What does someone do who comes into a polling booth and has forgotten their identification?

Senator LeBreton: Go home and get it!

Senator Baker: If they have to go way back there and get it, do you really think they will go back?

Senator LeBreton: For heaven's sake, you cannot limit that.

Senator Baker: With all of these objections from the government members, I will remind the honourable senators that the minister who appeared before the committee blamed all of this on the Liberals and the Bloc.

The minister said, “Oh, we will do it in the spirit of cooperation.”

• (1440)

Honourable senators, there is no doubt that the committee has done a terrific job in making this bill more acceptable to the people of Canada.

On the question of whether the people of Canada would consider it intrusive or unacceptable to be asked for photo ID, I think most people would conclude that such a demand is not exceptional, it is not extraordinary. Canadians must present photo ID at airports and other institutions and perhaps Canadians will accept this new form of identification as just another formality associated with voting.

In conclusion, honourable senators, the Senate committee did a marvellous job, but perhaps we should visit this issue again to study its affect on the voting population.

[Translation]

Hon. Pierrette Ringuette: Honourable senators, I have attended many sessions of the Standing Committee on Legal and Constitutional Affairs on this bill for the simple reason that I partially disagree with giving Elections Canada preferred status as an employer for their part-time positions.

Not so long ago, the Commissioner of Elections asked Parliament for money and person-years in order to establish a permanent register of electors, citing difficulties recruiting people to go door to door before every election. For many years we have been hearing endless horror stories about this permanent list. It seems that the problem has never been resolved and today, we want to add requirements to this list of electors.

I would also like to talk about the amendment to the bill that would give Elections Canada the ability to have part-time employees for a period of 165 days of work per calendar year. Honourable senators, 165 days is 33 weeks per calendar year and I think that no longer constitutes part-time work.

Two years ago, when Jean-Pierre Kingsley, Chief Electoral Officer at the time, asked for 165 days of work per calendar year, the House of Commons committee agreed on a maximum of 125 days. The bill eventually died on the Order Paper as a result of the election, but there was nonetheless consensus on 125 days, which was an increase over 1990 figures.

I have a real problem with this for two reasons: first, if an employee is needed for 33 weeks in a calendar year, it seems to me that permanent positions should be considered. These part-time employees do not get benefits or a pension and yet they are deemed necessary. Second, in 37 elections there has never been a complaint that 90 days per calendar year were insufficient.

We are in the process of giving Elections Canada a special privilege and we risk setting a precedent for part-time employees in the federal public service and Crown corporations. This goes well beyond a simple amendment. I wholeheartedly disagree with this amendment. We must not create a separate class of employees. We have given Elections Canada the funding and

tools needed to create a permanent list of electors. In my opinion, this has not been successful and now they are saying that part-time employees are not enough.

For all these reasons I will be voting against the amendment and against the bill.

[English]

Hon. Larry W. Campbell: Honourable senators, this may be a small point, but it is one to remember. If there is a need for evidence as to why we need CPAC in this chamber, I believe that Senator Baker's oration has given it to us. Further, I would ask that Senator Baker supply the Leader of the Government with the location of Aunt Suzy because I would like to ensure that, as a senior citizen, she does have power, light and some sort of identification.

The Hon. the Speaker: Honourable senators, is there further debate?

Are honourable senators ready for the question?

Some Hon. Senators: Question!

The Hon. the Speaker: Honourable senators, is the amendment moved by the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Robichaud, P.C., that Bill C-31, as amended, be not now read a third time but that it be amended,

(a) on page 15 by adding after —

Some Hon. Senators: Dispense.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: On division.

Motion in amendment adopted, on division.

The Hon. the Speaker: The question is now on the main motion.

Are honourable senators ready for the question on the main motion?

Some Hon. Senators: Question!

The Hon. the Speaker: It was moved by the Honourable Senator Nolin, seconded by the Honourable Senator Stratton, that this bill, as amended, be read the third time.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Senator Ringuette: On division.

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

SALES TAX AMENDMENTS BILL, 2006**THIRD READING**

On the Order:

Resuming debate on the motion of the Honourable Senator Meighen, seconded by the Honourable Senator Keon, for the third reading of Bill C-40, to amend the Excise Tax Act, the Excise Act, 2001 and the Air Travellers Security Charge Act and to make related amendments to other Acts.

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

Some Hon. Senators: Question!

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

Motion agreed to and bill read third time and passed.

APPROPRIATION BILL NO. 2, 2007-08**SECOND READING—DEBATE ADJOURNED**

Hon. Nancy Ruth moved second reading of Bill C-60, for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008.

She said: Honourable senators, the government wants our permission to spend money. Bill C-60, Appropriation Bill No. 2, 2007-08, provides for the release of the balance of the supply sought through this year's Main Estimates, which were tabled in the Senate on February 27.

The government submits estimates to Parliament each year in support of its request for authority to spend public funds. The Main Estimates provide information on both budgetary and non-budgetary spending authorities in support of the government's request for supply. Parliament then considers appropriation bills to authorize spending not previously approved through existing statutes. The Main Estimates also inform Parliament about the cost of statutory spending. These are the items that Parliament has previously authorized.

• (1450)

This year's Main Estimates total \$211.7 billion of expenditures, including \$210.3 billion in budgetary spending and \$1.4 billion in non-budgetary expenditures for loans and investments. The estimates were discussed in some detail with the President of the Treasury Board and Treasury Board Secretariat officials in their appearance before the Standing Senate Committee on National Finance on March 20, 2007. At that time, members of the Standing Senate Committee on National Finance were able to ask several questions pertaining both to the estimates and to the human resource and financial management issues. As honourable senators are aware, the estimates remain before the Finance Committee even after we have voted supply, allowing us to conduct more in-depth reviews, such as this spring's review of

issues relating to the vertical and horizontal fiscal balances among the various orders of governments.

This year's budgetary expenditures of \$210 billion include the costs of servicing the public debt; operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and, payments to Crown corporations.

These budgetary Main Estimates support the government's request for Parliament's authority for \$75 billion in budgetary spending under program authorities that require Parliament's annual approval for spending limits.

The remaining \$135 billion represents statutory spending, such as elderly benefits, and employment insurance, and these forecasts of statutory spending are provided for information purposes only.

The term "non-budgetary expenditures" refers to those outlays that affect the composition of the government's financial assets, such as loans, investments and advances. This year's non-budgetary expenditures total just under \$1.4 billion. They include both voted non-budgetary spending authorities, amounting to just under \$100 million, and \$1.3 billion of statutory items that are already approved by Parliament through separate legislation.

The total of voted or appropriated items in this year's Main Estimates is \$75 billion, and, of this amount, authority to spend \$22 billion was provided through Bill C-50, the interim supply bill. The balance of \$53 billion is now being sought through Bill C-60.

Honourable senators, should you require additional information, I would be pleased to try to provide it.

The Hon. the Speaker *pro tempore*: Continuing debate?

On motion of Senator Tardif, debate adjourned.

BUDGET IMPLEMENTATION BILL, 2007**SECOND READING—DEBATE ADJOURNED**

Hon. W. David Angus moved second reading of Bill C-52, to implement certain provisions of the budget tabled in Parliament on March 19, 2007.

He said: Honourable senators, I am pleased and proud to be in a position today to propose second reading of Bill C-52, the proposed budget implementation act 2007, designed to implement many of the key provisions of Budget 2007, which was presented in Parliament by Minister of Finance Jim Flaherty on March 19, 2007.

This was a key step forward with the government's long-term economic plan, "Advantage Canada," and sets Canada on a path to secure a strong future. The bill passed comfortably, 158 to 103 in the House of Commons on Tuesday evening, honourable senators. After the vote, I was pleased to note the unequivocal declaration of Liberal leader Stéphane Dion to the effect that this is a House of Commons money bill, a matter of confidence. He declared publicly on Tuesday night, and I quote from today's

CP wire story and as reported in various newspapers across the nation, including in the Maritime provinces, in the *Halifax Daily News*, in particular:

... senators have no choice but to accept the bill. "It is even the law," Dion said of the Senate's responsibility not to block budget bills.

He pointed out that Bill C-52 has now been passed in the House of Commons. "In accordance with our established custom and tradition," he said, "this bill will not be blocked, amended or voted down by the Liberal majority in the Senate." I have to say, honourable senators, I am delighted to have heard that from your leader.

It thus remains for us, honourable senators, to review the bill appropriately and to pass it expeditiously so we can all get on with our individual plans.

This, of course, will make the vast majority of Canadians very happy because passage of the bill by June 30 will enable more than \$4 billion in 2006-07 year-end tax relief and program funding to be saved and effective, and all of the following tax and non-tax measures will take effect: lower taxes for families through the new \$2,000 child tax credit; tax relief through an increase to the capital gains exemption; improved financial security for seniors through an increase in the age limit for contributing to registered pension plans and RRSPs from 69 to 71; \$1.5 billion in clean air funding to assist provinces with projects that reduce greenhouse gas emissions and air pollution; \$225 million in new funding for the Nature Conservancy of Canada to preserve and protect environmentally sensitive lands across our great country; \$30 million to protect British Columbia's Great Bear Rainforest; more than \$1 billion in health care funding to help provinces reduce patient wait times and improve the delivery of health services; \$614 million in funding for provincial, federal infrastructure products and labour market training; \$30 million in funding for the Rick Hansen Foundation's Spinal Cord Injury Translational Research Network to improve the lives of the more than 40,000 Canadians with permanent spinal cord injuries; and, \$135 million in new aid to help the people of Afghanistan rebuild their lives and their country.

Honourable senators, if we unduly delay this bill, there is a serious risk that this list of significant benefits for Canadians may be lost. As well, it could turn out to be a long, hot summer for all of us in this place.

Senator Cools: Oh, boy!

Senator Angus: Honourable senators, I realize a storm of controversy has in recent weeks flared up around Budget 2007 —

Senator Cools: Drama.

Senator Angus: — and Bill C-52 in particular. I refer, of course, to the new equalization formula and the Atlantic accord issues. I wish to address this matter right up front, honourable senators, because it is based on flawed rationale and deliberately misleading rhetoric designed to stir up controversy.

With all due respect, honourable senators, I earnestly believe this brouhaha is a contrived one, based on crass political opportunism by Premiers Williams, MacDonald and Calvert of Newfoundland and Labrador, Nova Scotia and Saskatchewan,

particularly the former. Premier Williams seems to think he can bully and badger Prime Minister Stephen Harper and his government in the same way he did the Liberal government of Paul Martin, using spurious tactics once again, such as refusing to fly the wonderful Canadian flag in the legislature at St. John's. Reducing an evident and troublesome fiscal imbalance in Canada as between the have and have-not provinces was and remains, honourable senators, a key cornerstone of the Harper government's policy program.

Happily for all Canadians, the exceptionally strong Canadian economy and the issuance of the thoughtful, creative and effective Al O'Brien report happened contemporaneously, enabling the new government to introduce an ingenious new equalization formula and go a long way toward satisfactorily adjusting said fiscal imbalance in Budget 2007 and through Bill C-52.

• (1500)

Now, honourable senators, these matters of equalization formula and special regional economic deals and accords are very complex indeed and difficult to understand. I am confident that you, like me, have found this to be the case. For that reason, when I was approached to sponsor Bill C-52, I asked my staff to prepare for me a clear, concise explanatory note on the subject, and I made similar requests to Finance Canada and to Minister Flaherty's office.

Despite the very best efforts of these sources, I remained quite uncertain and unsure about the precise workings of the equalization formulae, new and old, and their inter-relationships with the various regional accords, and especially the Atlantic accord, the Paul Martin version, which seemed to ruffle Premier Danny Williams' feathers to such a high degree.

Honourable senators, I know, respect and admire both Premier Danny Williams and Minister Jim Flaherty on a personal basis. They are both astute, bright and intelligent men. I personally found it hard to believe that they could have such diverse and conflicting understandings of the same documents and materials. The stuff just does not add up or make sense to me. Someone must be gilding the lily big time, I thought to myself.

My chief of staff tried to explain it this way: Ottawa, he said, is the father, and Newfoundland and Nova Scotia are the sons.

Senator Cools: No daughters?

Senator Angus: The father promised to pay his sons' university education at a top-scale university. Maybe one was a son and one was a daughter. The children won millions of dollars in the lottery. The father said to his children, "Well, I do not believe you need the money from me anymore. The situation has changed. However, if I am wrong, I will still help you out with your university fees." "No way," said the children. "You promised us. We still insist you pay us in full."

Oversimplified? Yes.

Senator Cools: Extremely.

Senator Angus: Off point? Maybe; probably. Instructive? You better believe it, honourable senators.

I still remained unsure of my misunderstandings of the issues. Suddenly, yesterday morning at 7 a.m., whilst returning to Ottawa from my native Montreal, it became clear to me as I read the lead editorial in the Montreal *Gazette*, Senator Fraser's and my favourite journal. I quote:

Atlantic Premiers Are Out Of Line

"We have lived partly on your handouts for many years but now we have struck it rich. So you'd better keep the handouts coming, or else."

That is, in effect, what some Atlantic politicians are now saying. It's not a very creditable position. Premiers Danny Williams of Newfoundland and Labrador and Rodney MacDonald of Nova Scotia are incensed about the federal budget's solution to a long-festering dispute over sharing the Canadian wealth. They are ranting that Prime Minister Stephen Harper and Finance Minister Jim Flaherty have broken a promise made by Paul Martin's government.

The promise was utterly foolish except at the level of buying votes, but that doesn't matter. What does matter is that the two blustering premiers are now the ones playing cheap politics.

A belligerent Harper challenged MacDonald to take him to court. MacDonald backed right down, saying "the most important court is the court of public opinion."

Wrong, premier. The most important arena for settling matters of fairness is the arena of logic and fact. And on that basis, Ottawa's position doesn't look bad at all.

The details of equalization, offshore non-renewal energy resource royalties, clawbacks, provincial revenue formula calculations, offset payments, and all the rest of it, are paralyzingly dull. We'll spare you the details —

— and it refers us to a website.

The bottom line of the federal proposal is a win-win situation for the provinces in question: They can choose to retain the 2005 deal or a new option, less lucrative from resource royalties but sweeter in other aspects of equalization. Instead, though, they want all the resource royalty revenue and more generous equalization. Absurdly, the provinces' premiers are saying their governments should end up with more money to spend, per capita, than the so-called "rich" provinces whose taxpayers are net losers from equalization.

Perhaps Williams and MacDonald don't realize it, but the budget changes to equalization solve a knotty problem that is important to the whole country, not merely to two small provinces. Nor did Ottawa act arbitrarily: The federal plan is based closely on the proposals of an expert panel set up by the Liberal government in 2005, headed by Al O'Brien, a retired Alberta civil servant, and which includes prominent experts from every region. This "O'Brien report" —

— again, a website is cited —

— elegantly compromises on issues that had arisen from the slapdash bargains, jury-rigging and political horsetrading of equalization over the years. The O'Brien proposals, as enacted in Flaherty's budget, should rationalize and stabilize equalization, in an equitable way, for years and years to come.

The generosity of the way Flaherty has proceeded, making sure offshore oil provinces lose nothing, is made possible by Ottawa's fat surpluses. Sweeping action of this kind, now, is absolutely the right move at the right time. The premiers who want their fair share, and then some, should recognize a reasonable deal when they see one.

An Hon. Senator: Go *Gazette*!

An Hon. Senator: Senator Fraser wrote that?

Senator Cowan: Even Danny might agree with you.

Senator Angus: As for other less high-profile aspects of Budget 2007 and Bill C-52, please note, honourable senators, that Budget 2007 supports Canadian families through tax reductions and investment in their children's future. It supports large and small businesses and helps them to grow. It supports communities through historically generous infrastructure investments and measures to help address climate change and improve the quality of Canadians' air and water. Put simply, Budget 2007 will help to build a better Canada, a Canada that works better and improves our quality of life. Do we want to put these benefits in jeopardy?

Some Hon. Senators: No.

Senator Angus: I do not think so, honourable senators.

The fact is, honourable senators, it is time for Canada to once again take its rightful place on the world stage, to become the Canada we all desire and once knew, a place where individuals and families can realize their dreams and live in prosperity and peace — a stronger, safer and better Canada. To achieve those ends, our government has acted constructively, decisively and has followed clear principles in Budget 2007. That is what building a stronger, safer and better Canada is all about.

This sounds like some of those fundraising letters that used to be written.

The measures contained in this bill reflect the priorities of Canada's government, or should I say Canada's "nouveau gouvernement." More than that, they reflect good, solid, old Canadian values and principles.

Honourable senators, please let me take a few moments to illustrate. I will start with tax relief, because Stephen Harper's government has said all along that Canadians, all of us, pay far too much tax. The measures proposed in Bill C-52 build on the tax relief framework laid out last year in Budget 2006 by providing a wide range of tax measures designed to help Canadian families get ahead and stay ahead.

Let us look first at the new Working Families Tax Plan. This plan will help parents to be better off financially. It will benefit over 3 million taxpayers, removing 230,000 low-income Canadians from the tax rolls. More than 75 per cent of the tax relief will go to those with annual incomes below \$75,000, and this is not an NDP government, honourable senators.

• (1510)

This government understands that no two Canadian families are exactly alike and that raising children involves significant additional expenses. In order to help young families, Budget 2007 includes in its Working Families Tax Plan a new \$2,000 child tax credit.

This new credit will provide up to \$310 of tax relief for each child under 18. It is important to note that of the more than 3 million Canadian families that will benefit from this plan, more than 90 per cent of them will receive maximum relief. Moreover, almost 180,000 taxpayers will be removed from the tax rolls as a direct result of this measure. Another component of the working families tax plan is the proposed increase in the spousal amount.

Honourable senators, Mr. Flaherty's budget speech emphasized the need for genuine fairness in our tax system and this is now a fundamental policy of this government. What about fairness for single-earner families?

Before this budget, couples in which one spouse chose to contribute to the household or community through unpaid work were provided with a lower amount of tax recognition in the form of the spousal deduction than a two-earner couple, in which each spouse could claim a basic personal amount.

This difference was due to the fact that the spousal amount was less than the basic personal amount — \$7,581 compared to \$8,929 in 2007. Bill C-52 proposes to end this inequity for one-earner families by increasing the spousal amount to the same level as the basic personal amount. This measure will provide one-earner families with the same tax relief as that already provided through the basic personal amount to two-earner families.

Canada's government is also committed to helping parents save for their children's post-secondary education through such vehicles as Registered Education Savings Plans, RESPs, and the Canada Education Savings Grant, CESG. Bill C-52 reflects that commitment by proposing changes that will provide additional flexibility and encourage greater savings for families.

Specifically, Bill C-52 proposes to eliminate the \$4,000 limit on annual RESP contributions. It also increases by \$8,000 the lifetime limit on RESP contributions, for the first time since 1996, raising it to \$50,000 from \$42,000.

Furthermore, Bill C-52 increases the maximum annual amount of CESG that can be paid in any year to \$500 from \$400, and to \$1,000 from \$800 if there is unused grant room from low contributions made in previous years. This will help families reach the lifetime CESG limit faster.

Bill C-52 also recognizes that many older or senior Canadians currently prefer to continue working and saving beyond previous retirement ages. Taxpayers are currently generally required to convert their Registered Retirement Savings Plans, RRSPs, to

Registered Retirement Income Funds, RRIFs, and cease RRSP contributions by the end of the year in which they turn 69.

Currently, registered pension plan taxable distributions or payouts must commence by the end of the year in which the taxpayer turns 69. Under Bill C-52, the government is increasing the age limit for maturing registered pension plans and RRSPs to 71 from 69. This measure will increase work and savings incentives for older Canadians.

I suspect, honourable senators, that many of us in this chamber will benefit from this fine new measure.

While on the subject of Canada's senior population, Bill C-52 will give effect to the government's tax fairness plan, which it introduced last fall and committed to in Budget 2007. This will increase the age credit amount and allow pension income splitting for pensioners. The amount eligible for the age credit will be increased by \$1,000 to \$5,066, providing up to \$150 in new tax relief and up to \$800 in total relief under the age credit.

Also, Canadian residents who receive income that qualifies for the existing pension income tax credit will be permitted to allocate to their resident spouse or common-law partner up to one half of that income.

The proposals in this plan provide Canadian seniors with more than \$1 billion of tax relief per year and help them keep more of their retirement savings.

Honourable senators, another key measure in Bill C-52 in terms of tax relief is the Tax Back Guarantee. This measure follows through on the government's commitment to dedicate all interest savings from federal debt reduction each year to ongoing personal income tax reductions. In other words, as the federal government, of whatever stripe, pays down national debt, it will be required to use the interest savings to cut personal taxes for hardworking Canadians. This proposal will ensure that all Canadian taxpayers will benefit directly from federal debt reduction and share in our nation's prospering economy.

What can I say, honourable senators. This is a significant commitment by the government, one that will be set in legislation to ensure that it continues into the future.

Honourable senators, I referred earlier to the issue of fiscal balancing through equalization payments. What is fiscal balance really all about? It is about our cherished basic Canadian principles of redistribution of wealth enshrined in our Constitution. It is about better roads and renewed public transit. It helps to redistribute from the haves to the have-nots, not only individuals, but provinces. It is about better health care and better-equipped universities and training to help Canadians get the skills they need, and it is about cleaner oceans, rivers, lakes and air. In short, it is about building a fairer, better and more secure future for Canadians and Canada itself. To do that, we must make sure that provincial and territorial governments have adequate funding to ensure a certain standard or level of services that their citizens should be able to count on.

Through Bill C-52, Canada's new government is delivering an historic plan worth over \$39 billion in additional funding to restore fiscal balance in Canada. Indeed, our government is helping to build a stronger federation in which all governments come together to help Canadians realize their potential.

This stronger federation will be built on more respectful relations between taxpayers and governments, with greater collaboration to deliver results for all Canadians. Those results will flow from a renewed and strengthened equalization and territorial formula financing programs proposed in Bill C-52 and will provide \$2.1 billion more in the next two years to eligible provinces and the three territories.

It must be noted, honourable senators, that Budget 2007 provides two positive options for Nova Scotia and Newfoundland and Labrador. They can stay with the current arrangement in terms of the equalization formula and the accord, or they can opt into the new equalization formula. It is their choice.

This bill also improves the fairness of the Canada Social Transfer and the Canada Health Transfer by legislating an equal per capita cash support for these transfers as they are renewed.

Moreover, Bill C-52 will renew and strengthen the Canada Social Transfer by making new and growing investments in support of post-secondary education, children and social programs.

All of this means that when all our provinces and territories are able to invest in health care, post-secondary education, modern infrastructure, child care and social services on an equal basis, everybody wins and all of Canada is stronger and better.

Honourable senators, Budget 2007 addresses another issue that is of particular concern for Canadians and for this government. I am speaking, of course, about the environment. Canadians have entrusted their federal government with responsibility for protecting the quality of our air, water and natural environment. Mr. Harper's government takes that responsibility seriously. That is why the government took action in Budget 2007 by investing \$4.5 billion to clean our air and water, reduce greenhouse gases, combat climate change and protect our natural environment.

• (1520)

Bill C-52 proposes an important step in that direction by proposing to provide \$1.5 billion to an ecoTrust fund that will support initiatives undertaken with provinces and territories in support of clean air and climate objectives. These measures will result in real reductions in greenhouse gas emissions and air pollutants.

There is little doubt of the importance of our health care system to Canadians. It has become an integral part of what defines us as a people. As a result of my own involvement in Montreal with the McGill University Health Centre, I am greatly aware of the daily challenges being faced by our hospitals across this great land. Canadians should be proud of our health care system, but it is important to constantly work to make it better. That is why Budget 2007 takes action to increase funding for the Canada Health Infoway, for a Patient Wait Times Guarantee Trust, for the Canadian Institute of Health Information, and for provinces and territories to protect women and girls from cancer of the cervix.

For wait times, Bill C-52 proposes to provide up to \$612 million to support jurisdictions that have made commitments to implement patient wait time guarantees. There is also a

proposal of \$30 million over three years for patient wait time guarantee pilot projects to assist provinces and territories in implementing their patient wait time guarantees.

Honourable senators, a disturbing statistic about which many folks in this land are unaware is that, after breast cancer, cancer of the cervix is the second most common cancer in Canadian women aged 20 to 44. In July 2006, Canada's government approved a vaccine for use by young girls and women that prevents the majority of this type of cancer, providing protection against the two types of viruses known as HPV that are responsible for approximately 70 per cent of cancers of the cervix in Canada. Bill C-52 proposes \$300 million in per capita funding for provinces and territories to support the launch of a national HPV vaccine program to protect women against this form of cancer.

Honourable senators, I said at the outset that Budget 2007, and by extension Bill C-52, addresses the priorities of Canadians. Certainly education is one of those priorities. Canada's new government clearly knows that a strong system of higher education is an important source of ideas and innovation so that Canada can continue to prosper.

I mentioned earlier the action this government is taking in this bill to help parents save for their children's education by strengthening the RESP program. However, we did not stop there, honourable senators. We have invested more in post-secondary education.

Bill C-52 proposes to increase the Canada Social Transfer by \$800 million per year, starting next year for provinces and territories, with the objective of strengthening the quality and competitiveness of Canada's post-secondary education system. This means that CST funding for post-secondary education will be \$3.2 billion next year, in 2008-09.

Just as important, honourable senators, this support will continue to grow over time as a result of the annual 3 per cent escalator that is part of the renewed CST. This action illustrates just how committed Canada's government is to providing long-term, predictable support for provinces and territories in support of post-secondary education.

Therefore, the government wants to move to a more principle-based system of regulation in the capital markets. There is much encouraging news in the budget about that. I only mention it in passing because there is heavy emphasis placed on bringing a national single securities regulator to this country. It is of very great interest. Our colleague, Senator Grafstein, introduced Bill S-226 last week, and I will be speaking to that at length in the context of the budget next week.

Honourable senators, this is, as I said in connection with last year's budget, not really scintillating stuff, but it is fundamentally important for the betterment of our great nation.

I thank you for your attention in this long discourse. This is important because it means lower taxes for Canadians. It is important because it means an improved operation of our health care system. It is important because it means our major fiscal arrangements with the provinces and territories are back on track

in a sound and principled way for the future so they can provide the necessary services and infrastructure to the residents of their provinces. There is much more, honourable senators. It really is a fine budget, which is good news for all Canadians.

Given the importance and urgency of the measures in this bill, I ask all honourable senators to please give this bill the support it deserves and enact it quickly after, of course, the appropriate review and sober second thought.

Hon. Tommy Banks: Will Senator Angus accept a question?

Senator Angus: I would be happy to. I cannot guarantee to provide a perfect answer, but I will do my best.

Senator Banks: I wish to reiterate what I have said before. I very much envy the fact of the honourable senator's presentation of speeches. They are, at the very least, entertaining.

My attention may have been distracted and, if it was, could he readdress what the effect of clause 8 of this bill will have on Canadian taxpayers?

Senator Angus: Which one is clause 8?

Senator Banks: It appears on page 5 and it has to do with a new taxation regime for holders of income trusts.

Senator Angus: On the issue of income trusts, the government has made itself very clear. The measure introduced by Minister Flaherty on October 31, 2006 had to be done the way it was done for reasons that should be very clear to someone of the honourable senator's high, noble intellect. The minister expressed a real degree of flexibility and willingness to meet with all kinds of affected taxpayers, including an outspoken and strident lobby group from a town to the south of the honourable senator's, in Calgary, the ARC Energy Trust, and others. The government has done its best to accommodate special circumstances.

In the case of the income trusts, the reality has been well explained. There were Americans and other non-Canadian purchasers of these trusts. They were only subject to a withholding tax. They were having a real deal, believe me.

Canadians who have invested in income trusts, by all studies I am aware of, benefited greatly and it was time to level off and reintroduce fairness and some balance into the system. Always, with our complicated tax system, if a comma is changed on page 227 it affects some huge thing on page 7.

As far as the measures in the budget, I believe they are in line and I would really prefer not to go further than this in terms of income splitting and in terms of seniors' pension arrangements, and measures I described in my speech about making life a little less complicated and easier in a tax way for our seniors. The government is committed to that. It is still studying, as I believe honourable senators know, with a panel of experts, measures to improve the tax rules to make it an even fairer system.

Senator LeBreton: Supported by all provincial finance ministers as well.

Hon. George Baker: In relation to the content of the honourable senator's speech regarding the specifics of the budget, of course there are some very good things in the budget. I believe everyone would agree with some of those measures. I want to question the honourable senator though because, in his free flight a moment ago, he became somewhat political and made reference —

An Hon. Senator: Say it ain't so! Partisan?

Senator Baker: He became partisan.

• (1530)

I would like to ask this question: During the last election campaign, the Conservative party and the Honourable Stephen Harper sent a brochure around to all Atlantic Canadians. On the front of that brochure it states, quoting a Gaelic proverb, "There is no greater fraud than a promise not kept." Of course, they were referring to the Liberals.

In the brochure, Mr. Harper outlined Paul Martin's promise that Atlantic Canadians would receive 100 per cent of their natural resources; he broke that promise, says the brochure.

Senator Oliver: No.

Senator Baker: The brochure states that Paul Martin is taking away billions of dollars in offshore revenues from Newfoundland and Labrador, taxing away your future, clawing back oil and gas revenues.

Senator LeBreton: That is right.

Senator Baker: It goes on to say:

The Conservative Party of Canada believes that offshore oil and gas revenues are the key to real economic growth in Atlantic Canada.

That's why we would leave you with 100 per cent of your oil and gas revenues.

Senator LeBreton: That is right.

Senator Baker: Then it says:

No small print.
No excuse.
No caps.

Senator Oliver: That is exactly what it does.

Senator Baker: No caps.

Senator Oliver: No caps.

Senator Baker: Then he continues in a letter dated January of last year to all premiers, and says:

A Conservative government would also support changes to the equalization program We would remove non-renewable natural resource revenues from the equalization formula —

Senator LeBreton: That is right.

Senator Baker: And he continued:

— to encourage the development of economic growth in the non-renewable resources sector across Canada.

Senator LeBreton: That is what he did.

Senator Oliver: That was done.

Senator Baker: In view of that promise to remove non-renewable natural resource revenues from the equalization formula and in view of his promises to have no caps in relation to all of this, does the honourable senator agree with the Gaelic proverb: “There is it no greater fraud than a promise not kept”?

Some Hon. Senators: Hear, hear!

Senator Angus: First, like former mayor and now senator, Senator Campbell, I am a great admirer of Senator Baker’s rhetoric.

Senator Milne: Try to emulate it!

Senator Angus: There is no greater compliment than emulation. I am just here practicing my incipient oratorical skills, watching him in action.

There is no greater leader than one who characterizes his comportment and behaviour as the head of a great political movement by promises made, promises kept. When this budget came out, I am telling you it was replete with promises made, promises kept. The only fraud out there now is the Premier of Newfoundland and Labrador and the way he is carrying on trying to mislead the Canadian people. It is a disgrace.

Some Hon. Senators: Shame!

Senator Baker: No supplementary question, Your Honour.

Senator Cools: That is serious, the answer.

The Hon. the Speaker: Continuing debate, Senator Joyal.

Hon. Serge Joyal: Honourable senators, I did not want to participate in the debate on the substance of the budget this afternoon.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I want to ensure that if Senator Joyal is speaking today that he not be considered to be the second speaker.

The Hon. the Speaker: Is it agreed?

Senator Comeau: That is right; 15 minutes.

Senator Tardif: Thank you.

Senator Joyal: I should have made a request for authorization from the chamber.

Honourable senators, I want to address the opening remark of Senator Angus, for whom I have the greatest esteem, when he referred generally to the power of the Senate in relation to a budget. What is our constitutional status in relation to voting on budgets? I know there are different opinions on this matter, and there are even opinions that would like to see us rubber-stamp budgets. However, that is not what the Constitution provides for, and is not what precedents provide for.

Section 53 of the Constitution Act, 1867, deals specifically with budget measures. The side bar reads “Appropriation and Tax Bills,” and the section states:

Bills for appropriating any Part of the Public Revenue, or for imposing any Tax or Impost, shall originate in the House of Commons.

That is the only limit that exists in terms of appropriation or budget bills.

Precedence shows quite clearly that the Senate has amended and even defeated budget bills.

Senator Cools: That is right.

Senator Joyal: That has never entailed the defeat of the government. Why? We are not a confidence chamber. A vote on the budget in the other place that defeats the budget immediately entails the dissolution of Parliament and the call for an election. In this chamber, precedents exist where a defeated budget does not entail the automatic dissolution of the other place and the call of a general election.

As for precedents, Senator Murray will remember Bill C-93, the budget implementation bill, entitled “The Government Organization Bill” of 1992. It was introduced in the Brian Mulroney government by then Minister of Finance Don Mazankowski. That budget was defeated at third reading in a tie vote of 39-39, with three abstentions, on June 10, 1993.

In other words, a budget can be defeated in this place. It happened in that period of time with very strange circumstances. Let me remind honourable senators of a senator sitting on the government side, the late Senator Finlay MacDonald, who many of you will remember.

Senator Cools: We helped him to defeat Bill C-93.

Senator Joyal: He moved a motion — and His Honour was in the Senate at that time — to amend the implementation bill to delete certain clauses at third reading. What were those clauses? The clauses which merged the Canada Council and the Social Sciences and Humanities Research Council into one. That amendment introduced by the late Senator Finlay MacDonald was defeated in a recorded division on June 3, 1993.

Five days later, on June 8, 1993, former Senator Royce Frith introduced a second motion to amend the bill at third reading. The motion was defeated on a recorded division on June 10. Immediately after that, a final vote was taken on third reading and the bill was defeated.

Senator Cools: I voted it down.

Senator Joyal: Although the government had a clear majority in the Senate at that time, Senator MacDonald and other Conservative senators voted against the government, creating a tie which led to the defeat of the budget implementation bill.

Honourable senators, it is quite clear that the recent precedents speak to the effect that this chamber can defeat a budget. We all know that the then Prime Minister of Canada did not go to see the Governor General to call an election.

Honourable senators, there is another precedent regarding appropriation bills. I am referring to May 11, 1989, four years earlier, when the Standing Senate Committee on National Finance reported Bill C-4, an appropriation bill for 1989-90, with an amendment. With leave, the Senate moved immediately to the consideration of the report. The report was adopted on division, which had the effect of adopting the amendment. The bill, as amended, was then passed at third reading on division. What happened then? On May 16, the bill was sent to the House of Commons and the Senate received a message from the House of Commons refusing the amendment.

The Senate then made a motion to send to the House insisting on its amendment. The motion with the message from the House of Commons was referred to committee. The committee, in its report on May 17, did not insist upon its amendment but made a number of recommendations. There was a motion to amend the committee report, which was defeated and the report was adopted. The bill was then passed without amendment and received Royal Assent immediately.

• (1540)

In other words, it happens, honourable senators, that when this place, this chamber considers it appropriate to amend or to defeat, it does so. There is nothing in the Constitution against that. In fact, the precedents on both sides of this chamber speak to the contrary.

Again, I reserve on the substance of the budget, but when this chamber is entering into debates on the budget, it has exactly the same power it has in relation to any other bill.

All honourable senators know that budget bills and appropriation bills are of a very specific nature, because those are the bills on which the government is evaluated and it has a strong impact in the public opinion debate, there is no doubt about that. When the Senate exercises its powers, it must exercise them with wisdom. That is essentially our role. Our role is certainly not merely to rubber-stamp any budget bill when this house considers that there are sections of the budget, as precedents show, that need to be canvassed and properly reported to this place.

Honourable senators, I thought that it was important to have that in mind because the recent precedents speak in that context. It is with that in mind that I think we must enter into this debate.

Senator Angus: Would the honourable senator take a question?

Senator Joyal: With pleasure, if I am within my time.

Senator Angus: Do I understand that the honourable senator was referring to Bill C-93, the Budget Implementation Act of 1992?

Senator Joyal: Yes, exactly.

Senator Angus: Would the honourable senator agree with me that, unlike Bill C-52, Bill C-93 was not particularly time-sensitive, did not appropriate funds, did not include significant amendments to the Income Tax Act and did not contain financial commitments to people, provinces and non-profit organizations that would expire if not passed in a timely manner?

Senator Joyal: I totally agree with the honourable senator. That bill was of a specific nature, but it was in relation to an implementation bill of the budget. I can agree that Bill C-93, as I explained, was merging the Canada Council and the Social Sciences and Humanities Research Council. Many senators were there. I was not in the chamber, but I know that on the government side many senators were there at that time, probably participated in that debate and heard a number of witnesses at the committee level.

I am stating that that power exists. It is within our wisdom to exercise it, with the description of the substance of the bill that we have now been asked to consider and study. That is essentially what I am saying. I am not saying that what the Senate did with Bill C-93 we have to do now. We are just starting the debate, we will hear witnesses next week and this house will pronounce on its majority. That is all I am saying.

I do not want senators to think that we just have to vote for any budget bill that comes from the other place and that is it. I do not think it is the power of this place, in relation to the letter of the Constitution and to the precedents that exist. That is all I am saying.

Senator Angus: If I may, honourable senators, it is an interesting point that Senator Joyal raises and it could open up a large debate. However, the reality is — and I think honourable senators will agree — that in the case of Bill C-93 the issue was rather those granting councils should be separate entities and not an issue of what was or was not appropriate fiscal policy. There is a long-standing convention in this place that when money bills that have been passed in the other place come before us, it is our role to give appropriate review, yes, but not to block or vote those bills down.

Senator Comeau: Just like the Governor General.

Senator Angus: I heard that from Senator Hays, by the way.

Senator Joyal: As I said, a bill is a bill.

Senator Tkachuk: And Mr. Dion.

Senator Joyal: The precedents show quite clearly that a bill related to a budget, be it the one we have under consideration now, a bill dealing with transfer of money to provinces, to citizens, to groups, and so on — and the honourable senator has described the bill quite appropriately — has a specific nature. A bill in the budget that contains some measures of implementation is still a budget bill. One does not make any distinction between what is a transfer of money and what is a reorganization of government structure to produce a result within the budget. It is still a budget bill.

Again, I mention to honourable senators, in the case of a debate, that is what we must take into account when this house, in its wisdom, exercises its judgment and votes at the final stage on the future of the bill.

Senator Angus: If I may, Your Honour, you will appreciate my dismay having, as I did, quoted the leader of the Liberal Party Stéphane Dion when he said that this bill should be passed by the majority in the Senate. "That," he said, "is the law." What did he mean by that? Does the honourable senator disagree with his leader?

Senator Joyal: I have not had the opportunity to read the full statement of the Leader of the Opposition in the other place. What I am saying is that this is the Constitution. That is the way I have learned it and that is the way I can check the precedents. I think it is important that we exercise the role of this chamber of an independent chamber of sober second thought, and I insist on the two qualifications, the independent, sober second thought. That is what the Supreme Court of Canada told us in 1979, namely, that we have a duty to do.

Senator Di Nino: No one argues with that.

Senator Joyal: I approach a vote on a measure as important and significant as a budget bill, not only in the context of the Constitution, but also in the political context of it. I am stating to the honourable senator that there is the law of the land, and the law of the land, as I am informed, is the way I have interpreted it.

Hon. Anne C. Cools: May I ask a question?

The Hon. the Speaker: Questions and comments?

Senator Cools: I have a question. I thought when Senator Joyal rose he was putting a question to Senator Angus. Could Senator Angus answer the question?

The Hon. the Speaker: It is on Senator Joyal's speech that we are allowed questions and comments.

Senator Cools: I was thinking Senator Joyal was in a bit of an odd spot because he is not really the second speaker. We should go back to Senator Angus to complete his time because, when Senator Joyal rose to speak, no one inquired whether or not some of us wanted to put questions to Senator Angus.

The Hon. the Speaker: Senator Joyal's time is expired, unless he is asking for an extension, and he is not.

On motion of Senator Tardif, debate adjourned.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw to your attention the presence in the gallery of a group of grade eight students from École Pointe-des-Chênes in Sainte-Anne, Manitoba. They are accompanied by two of their teachers and are the guests of the Honourable Senator Chaput.

On behalf of all honourable senators, I would like to welcome you to the Senate of Canada and wish you well on the remainder of your school year.

[Senator Joyal]

[English]

CITIZENSHIP ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Consiglio Di Nino moved second reading of Bill C-14, to amend the Citizenship Act (adoption).

He said: Honourable senators, unless Senator Baker is prepared to engage in a spirited exchange, I am afraid that this presentation will not be quite as passionate and interesting as the one we just had, because I suspect that the subject matter would be something in principle with which we are all in agreement.

[Translation]

Honourable senators, I am pleased to begin the debate at second reading of Bill C-14.

Before I begin, I would like to remind my colleagues that, this year we are celebrating the sixtieth anniversary of Canadian citizenship. Our first Canadian Citizenship Act came into force in 1947, and the new Citizenship Act in 1977.

I think that these legislative tools have been very useful. However, there is no question that some parts of the act must be updated to take into account changes in our society.

• (1550)

[English]

Recently, the introduction of the U.S Western Hemisphere Travel Initiative has increased attention on Canadian citizenship as an issue, and as people are seeking to get passports, more questions surrounding citizenship and proof of it are emerging. Media reports have highlighted cases of individuals who have been affected by the loss of Canadian citizenship. There are also examples of people who never actually obtained citizenship despite having every reason to believe that they had — the so-called "lost Canadians." Lastly, other cases have involved individuals who have not lost citizenship but, rather, have lost their proof of it and need to reapply.

In this regard, before I address the legislation before the house, I would be remiss if I did not mention that the Minister of Citizenship and Immigration recently made some significant proposals to reform several elements of the Citizenship Act that need updating.

Honourable senators, on May 29, before the House of Commons Standing Committee on Citizenship and Immigration, Minister Finley proposed a number of changes to the act. With respect to those proposals, the following was said by a well-known advocate for reform of the legislation:

There have been some attempts to initiate fixes to the Citizenship Act at one time or other. But they've usually been pretty limited in scope. This . . . seems to be attempting to resolve, not just the problems that could

arise in the future, but also some past ones, and in law that's unusual to try to do something like that. So I'm impressed that the government is taking this broad-based approach to trying to solve the problem.

The minister recently received accolades in an editorial in Vancouver's *The Province*, which stated:

Citizenship minister goes a long way to right old wrongs.

The editorial went on to say:

Finley is to [be] congratulated for a noble effort to correct a long-standing injustice.

In her May 29 statement, Minister Finley said:

Canada's New Government has taken decisive action to resolve many of the cases that have been brought to our attention. However, more action is required. That is why today, I announced that I plan to introduce new legislation to amend the Citizenship Act.

This will mean that anyone born in Canada on or after January 1, 1947, will have citizenship even if they had lost it under a provision of the 1947 Canadian Citizenship Act.

Anyone naturalized in Canada on or after January 1, 1947, will have citizenship even if they had lost it under the 1947 Act.

And anyone born outside the country to a Canadian mother or father, in or out of wedlock on or after January 1, 1947, will have citizenship if they are the first generation born abroad.

My heart goes out to all those who have been affected by this issue due to outdated laws that have been on the books for many years. While the previous government chose not to act, we are taking action and moving forward to help those who whose citizenship is in question.

Honourable senators, along with our government's other legislative proposals, Bill C-14 is a clear demonstration of this government's commitment to reforming the Citizenship Act. This measure has been introduced to reform the law that governs the citizenship of children adopted abroad. Bill C-14 is particularly important because it not only strengthens a number of values and principles that are at the core of our great country, it also addresses one of the central threads of the fabric of our society and country. That thread is our citizenship. As we all know, citizenship is not something to be taken lightly or for granted.

[Translation]

Bill C-14 is about families. It is about the steps that a family must take to make their internationally adopted child a Canadian citizen.

Every year, 2,000 Canadian families open their hearts to children born abroad, offering them love and a home. The child becomes part of the family, but the parents must fulfill another requirement before their child can become part of the larger Canadian family. Unlike children born to Canadian citizens living

abroad, a child born in another country and adopted by Canadian citizens is not considered to be a Canadian citizen. The adoptive parents must first request permanent resident status for their child.

[English]

Bill C-14 will eliminate that requirement. It is designed to address a provision of the Citizenship Act that creates excessive distinction between children born to Canadians living in another country and children born in another country who are adopted by Canadians. I am sure that honourable senators will agree that Canadians who adopt a foreign child make no such distinction. They will love that child and raise him or her to the best of their abilities as much as if they had given birth to the child themselves.

This bill is about adding a new degree of efficiency to Canada's citizenship program. It allows the Parliament of Canada to show its support for the caring Canadian families who choose to adopt children in another country. This bill will show its support for those families who give so much in order to offer a child an opportunity for a better life here in Canada.

Honourable senators, when Canadians living abroad welcome the birth of a child, Canada happily welcomes this new citizen of our country. By contrast, when Canadians travel to another country to welcome an adopted child into their family, Canada requires them to apply for permanent residence. That is not right. We are talking about adopted children, often barely out of infancy. Their parents are Canadian citizens. The government believes that Canadian families should welcome them as warmly as their adoptive family.

Honourable senators, the adoption process can be long and complicated, often taking up to two years and, in some cases, even longer. There are reasons that international adoption is a complex process. There are a number of partners involved. The provincial and territorial governments play a lead role in approving the adoption. The country where the child is living must also approve. The Government of Canada is involved through the immigration process. As a country in an international community, we want to ensure that international adoptions are legitimate.

Sadly, in some parts of the world child trafficking is a serious concern, making additional background checks necessary. In many cases, the adoption must also meet the requirement of the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoptions. The entire process can take considerable time and parents are understandably anxious. I am sure that all honourable senators can understand that Canadian parents going through this process would be frustrated by the additional cost and delay. There is no reason we should create an extra step at the end of an already lengthy process before we welcome their child into the Canadian family. There is no reason that they should need to apply for permanent resident status for their child. They should be able to immediately apply for his or her citizenship.

I repeat: This extra step needs to be eliminated. That is what Bill C-14 will do.

Bill C-14 is a clear and bold reaffirmation of the values and principles that define our country, our identity and the notion of the Canadian family. The discussions leading up to this bill have

been long, deliberate and democratic. The bill is the product of extensive study and consultation. The government has heard from stakeholder groups such as the Adoption Council of Canada, the Adoption Council of Ontario and the Adoptive Families Association of British Columbia. They are all behind this bill.

• (1600)

Many families have their own stories to tell, stories of parents waiting for months — at times even more than a year — for their adopted child to obtain Canadian citizenship. These families are also behind the bill.

We can do a better job of supporting Canadian families and that is what our new government is doing.

[Translation]

Honourable senators, we are also aware that Canadian citizenship is a very valuable thing. We are responsible for protecting it and not granting it without due cause. During our consultations on this bill, a number of legitimate concerns were raised about this issue. I would emphasize to honourable senators that the bill tabled in the Senate today addresses those concerns. It takes into account the possibility that some people may try to adopt children solely for the purpose of acquiring Canadian citizenship for that child. These are known as “adoptions of convenience.” The bill is designed to address this concern in particular, and it does so in a practical way.

Bill C-14 and its regulations contain a number of provisions to protect Canadian citizenship. These provisions relate to the proven existence of an authentic relationship between the parents and the child. It must be clear that the best interests of the child are paramount. A home study must be conducted. The biological parents must have consented to the adoption. No one may make an unjustified material gain from the adoption.

[English]

I repeat that the government understands that the matter of adoption falls within the jurisdiction of provincial and territorial governments and therefore, the province of residence of the adoptive parents plays an integral role in the adoption process. Bill C-14 does nothing to alter or interfere with that jurisdiction. This bill respects the jurisdiction of our provincial and territorial partners. Provinces and territories have indicated that they support Bill C-14 and are satisfied that the bill respects their role in adoption procedures. Certainly, Canada needs immigration from an economic perspective; but at the end of the day, immigration is about building a better Canada. Immigration is about building communities and families and, honourable senators, that is what Bill C-14 is all about.

Let us give our support to Canadians who turn to the immigration system to build their families through overseas adoption. Just as they are welcoming that child into their own family, let us help them welcome that child into the Canadian family as well. It is time to let these families know that we are listening to them. Let us support them by passing this legislation. Let us give children adopted overseas timely access to citizenship. Let us show Canadians we want new families to come together as quickly as possible.

[Senator Di Nino]

Honourable senators, each year, hundreds of Canadian families receive a very special blessing. They open their hearts and homes to care for and provide love and opportunity to children who often come from impoverished or war-ravaged countries where the value of human life has been diminished, if not totally forgotten. Through the passage of Bill C-14, we can honour and support the commitment those Canadians show when they choose to adopt a child born outside of our country. Our Canadian values demand that we share these blessings with others. When we do, we are even more richly blessed.

When this bill comes into force, it will reduce inappropriate distinctions and support families.

The arrival of a child is a blessed event for any family. It is time to recognize that children born to Canadians overseas and children adopted by Canadians overseas are not loved any differently. I urge colleagues to allow swift passage of this legislation so that, as parliamentarians, we demonstrate our support for the caring families who choose to adopt a child born outside of our country.

On motion of Senator Tardif, debate adjourned.

CANADA TRANSPORTATION ACT RAILWAY SAFETY ACT

BILL TO AMEND—MESSAGE FROM
COMMONS—SENATE AMENDMENTS CONCURRED IN

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill C-11, to amend the Canada Transportation Act and the Railway Safety Act and to make consequential amendments to other acts, and acquainting the Senate that they have agreed to the amendments made by the Senate to this bill without further amendment.

[Translation]

BANKRUPTCY AND INSOLVENCY ACT COMPANIES' CREDITORS ARRANGEMENT ACT WAGE EARNER PROTECTION PROGRAM ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-62, to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act, the Wage Earner Protection Program Act and chapter 47 of the Statutes of Canada, 2005.

Bill read first time.

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

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

[English]

CRIMINAL CODE

BILL TO AMEND— SECOND READING—DEBATE ADJOURNED

Hon. Terry Stratton moved second reading of Bill C-10, to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act.

He said: Honourable senators, I am pleased to have the opportunity to speak to Bill C-10. This bill proposes to amend the Criminal Code to address gun crimes. These amendments would increase the minimum penalties for specific, serious firearm offences and provide escalated minimum penalties for repeat firearm offenders.

[Translation]

The original version of Bill C-10 was amended by the other place in an attempt to target the main problems facing many major Canadian cities with respect to armed gangs. More specifically, Bill C-10 proposes increasing mandatory minimum sentences to five years for a first offender and seven years for repeat offenders, in the case of eight serious offences committed with a firearm. Those offences are: attempted murder, discharge of a firearm with intent to cause bodily harm or prevent an arrest, sexual assault, aggravated sexual assault, kidnapping, hostage taking, robbery and extortion.

[English]

The higher minimum penalties will be applicable for those who use a restricted or prohibited firearm in the commission of an offence, or if they commit an offence in connection with a criminal organization which includes a gang. If neither of those two possible aggravating factors is present, the current four-year penalties will apply.

Bill C-10 also amends other offences of the Criminal Code that do not involve the actual use of firearms in the commission of an offence. For example, Bill C-10 amends firearm trafficking or smuggling, where there is the illegal possession of a restricted or prohibited firearm with ammunition. The bill proposes a minimum penalty of three years for a first offence and five years for a second or subsequent offence.

• (1610)

Further, Bill C-10 creates two new offences dealing specifically with the theft of firearms. It is proposed that breaking and entering to steal a firearm and robbery to steal a firearm may be made indictable offences only, with no minimum penalty but a maximum penalty of life imprisonment.

[Translation]

Honourable senators, you can see that Bill C-10 targets only very serious firearm-related offences and deals harshly with people who engage in criminal gang activities involving firearms. It does not propose tougher mandatory minimum penalties for a wide range of offences. Instead, it is a response to the fact that, according to crime statistics and law enforcement officials,

handguns have become the weapon of choice in some circles where crimes involving firearms are on the rise.

[English]

It is acknowledged that, in general, firearm offences have decreased steadily over the years. However, this has not been the case across the board. A worse and emerging trend has developed with respect to urban gun violence, particularly in relation to the drug trade. When Bill C-10 was studied in the other place, police and prosecutorial representatives, among other stakeholders, testified on the nature of the gun and gang violence problem, which is escalating in some of Canada's large urban centres, as can be seen in Toronto this last weekend.

Witnesses who appeared before the House of Commons Standing Committee on Justice and Human Rights spoke to the growing illegal possession of firearms, particularly handguns, as a tool in the drug trade for purposes of exerting power and control of territory against rivals or for self-defence.

Witnesses with expertise in cities such as Vancouver, Toronto and Montreal expressed great concern about the emergence of armed street gangs, particularly when that erupts in violent acts such as shootings in public places.

Concerns were also expressed about access to illegal guns that originate either from within Canada for thefts and break-ins or are smuggled into Canada from the United States. I am pleased that Bill C-10 is tailored to respond specifically to those types of criminalities involving firearms. It is appropriate that the Criminal Code provides that those convicted of firearm trafficking and smuggling be sentenced to a minimum of three to five years. These penalties are closer to the minimum penalties that are imposed on those convicted of having used firearms to commit serious offences.

Even though gun traffickers and smugglers may not be directly involved in the commission of offences where the firearms are used, they are the ones responsible for providing illegal guns to people who will use them for criminal purposes. They are indirectly responsible for the gun violence that exists in many of our communities, and such activities should be met with very tough minimum penalties.

[Translation]

I am also proud, honourable senators, that Bill C-10 proposes tougher minimum penalties for repeat offenders than for first-time offenders. I repeat, in my opinion, it is appropriate that the Criminal Code provides escalated minimum penalties so that repeat offences are recognized as aggravating factors that must be taken into account in sentencing.

[English]

As well, gang members who use firearms in the commission of serious offences such as attempted murder, robbery and extortion should face longer jail terms. Street gangs and more sophisticated criminal organizations are a great concern. The possession and use of firearms to advance these criminal activities needs to be addressed through tougher legislative measures as proposed under this bill.

Honourable senators, it should be noted that Bill C-10 does not run contrary to the sentencing principles currently set out in the Criminal Code. The Criminal Code provides as a fundamental sentencing principle that a sentence should be proportionate to the gravity of the offence and the degree of responsibility of the offender. It also provides that the purpose of sentencing is to impose sanctions on offenders that are just, in order to contribute to respect for the law and the maintenance of a just, peaceful and safe society.

Accordingly, the objectives in sentencing are to denounce unlawful conduct, deter the offender and others from committing offences, separate offenders from society where necessary, as well as to assist in rehabilitating offenders and to promote offenders' acceptance of responsibility and their acknowledgment of the harm they have caused to their victims and the community.

The manner in which the higher minimum penalties will apply under Bill C-10 is intended to ensure that they do not result in grossly disproportionate sentences contrary to section 12 of the Canadian Charter of Rights and Freedoms. The higher levels of seven years for using a firearm and five years for the non-use offences are reserved only for repeat firearms offenders.

If an offender has a relevant and recent history of committing firearms offences, it is reasonable to ensure that the specific sentencing goals of deterrence, denunciation and separation of serious offenders from society are given priority by the sentencing court.

[Translation]

Honourable senators, in addition to being fair, the minimum penalties suggested in Bill C-10 appropriately target the emerging problems of guns and gangs.

The legislation has often been criticized because it is not the most effective way of dealing with the complex problems of crime. I think it is important to point out that Bill C-10, like the other crime bills that are before Parliament, is not meant to be a panacea.

[English]

I believe that Canada's new government understands and is committed to ensuring that tough legislation needs to be backed by other crime control measures. Other efforts are needed to tackle gun violence. Targeted and effective law enforcement is essential. This is a shared responsibility among the different levels of government.

The federal government has made commitments toward beefing up Canada's law enforcement capacity to deal with gun- and drug-related crimes, among other concerns.

The government also committed to establish a new cost-shared program with provincial and municipal governments to enable them to hire at least 2,500 new police officers. In addition, the government has dedicated resources for specific crime prevention programs to prevent young people from becoming involved with gangs, guns and drugs in the first place.

[Hon. Terry Stratton]

Honourable senators, as you can see, the government's approach to tackle the problem of gun crimes is not nearsighted. It is not merely a legislative response. Our immediate responsibility in this place, however, is to examine Bill C-10, which seeks to amend the Criminal Code to provide tougher penalties for serious gun crimes.

As I mentioned earlier, the bill proposes to provide tougher penalties in a very restrictive manner and one that reflects quite specifically the emerging problem with guns and gangs.

[Translation]

I hope that we will do our duty, which is to examine this bill diligently and impartially. I therefore encourage all senators to vote to refer this bill to the Standing Senate Committee on Legal and Constitutional Affairs for immediate review.

On motion of Senator Tardif, debate adjourned.

• (1620)

NATIONAL FINANCE

COMMITTEE AUTHORIZED TO MEET DURING SITTINGS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of June 13, 2007, moved:

That the Standing Senate Committee on National Finance have the power to sit on Tuesday, June 19, 2007 and on Wednesday, June 20, 2007 even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Motion adopted.

PUBLIC SECTOR INTEGRITY COMMISSIONER

NOMINATION OF MS. CHRISTIANE OUIMET—MOTION TO REFER TO COMMITTEE OF THE WHOLE ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of June 13, 2007, moved:

That the Senate do resolve itself into a Committee of the Whole on Tuesday, June 19, 2007, at 8 p.m., in order to receive Christiane Ouimet respecting her appointment as Public Sector Integrity Commissioner;

That television cameras be authorized in the Senate Chamber to broadcast the proceedings of the Committee of the Whole, with the least possible disruption of the proceedings; and

That photographers be authorized in the Senate Chamber to photograph the witness before the commencement of the testimony, with the least possible disruption of the proceedings.

Motion adopted.

[English]

STUDY ON USER FEE PROPOSAL FOR SPECTRUM LICENCE FEE

REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE ADOPTED

The Senate proceeded to consideration of the eleventh report of the Standing Senate Committee on Transport and Communications, (*Department of Industry User Fees Proposal for a spectrum licence fee for broadband public safety communications in bands 4940-4990 MHz*), presented in the Senate on June 13, 2007.

Hon. David Tkachuk: I move that the report be adopted.

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

Motion agreed to and report adopted.

CONSTITUTION ACT, 1867

BILL TO AMEND— REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the thirteenth report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill S-4, to amend the Constitution Act, 1867 (Senate tenure), with amendments, a recommendation and observations), presented in the Senate on June 12, 2007.

Hon. Donald H. Oliver: Honourable senators, I move the report standing in my name.

I would like to make a few remarks about this report. Rule 90 of the *Rules of the Senate* stipulates:

A standing committee shall be empowered to inquire into and report upon such matters as are referred to it from time to time by the Senate . . .

Further, rule 99 reads as follows:

On every report of amendments to a bill made from a committee, the Senator presenting the report shall explain to the Senate the basis for and the effect of each amendment.

I rise today, honourable senators, to fulfill the requirements under those rules.

The first amendment effectively changes the date of the short title of the bill. This bill was introduced in the Senate on May 30, 2006. Clause 1 instructed that the bill should be cited as the "Constitution Act, 2006 (Senate tenure)." Given it is now June 2007, the short title has been amended and now reads as the "Constitution Act, 2007 (Senate tenure)."

The second amendment replaces clause 2 of the bill. Originally, clause 2 proposed a term limit of eight years for new senators, while eliminating the mandatory retirement age of 75 years, except for existing senators. The amendment changes the length of appointment to 15 years and states that the term is neither extendible nor renewable. The amendment reinstates the

mandatory retirement age of 75 years for all senators. This motion in amendment was adopted on division.

In addition, the committee attached a recommendation to the committee's report to the Senate also adopted on division. This recommendation states:

. . . the bill, as amended, not be proceeded with at third reading until such time as the Supreme Court of Canada has ruled with respect to its constitutionality.

To attempt to explain this element of the committee's report, I thought it might be useful to invoke the words used by my colleague, the Honourable Senator Baker, during our clause-by-clause proceeding on this bill. Senator Baker informed the committee of the following:

It would, I think, be difficult to find an exact section under which we are operating. These are extraordinary times calling for extraordinary solutions.

Most of our procedural authorities state clearly that, in the case of legislation, a committee is empowered to report on a bill with or without amendment or can recommend that a bill not be proceeded with further in the Senate.

In this chamber, we have in the *Rules of the Senate* some guidelines to instruct us in these extraordinary times. It should be noted, honourable senators, that this decision by your committee is a hybrid of several rules. For example, rule 98 states:

The committee to which a bill has been referred shall report the bill to the Senate. When any amendment to the bill has been recommended by the committee, such amendment shall be stated in the report.

On the one hand, the committee's obligation to report the bill as amended is being met. However, rule 100, which seems to apply in this case, states:

When a committee to which a bill has been referred considers that the bill should not be proceeded with further in the Senate, it shall so report to the Senate, stating its reasons. If the motion for the adoption of the report is carried, the bill shall not reappear on the *Order Paper*.

That was not done. There are some examples of Senate committees recommending that bills not be proceeded with; however, your committee's procedure in Bill S-4 has not been used before in this chamber.

As the chair of the Standing Senate Committee on Legal and Constitutional Affairs, it is my duty and obligation, therefore, to report that your committee has agreed to report Bill S-4 with amendments, with observations appended and with a recommendation that the Senate not proceed with the bill until such time as the Supreme Court of Canada has ruled with respect to its constitutionality.

I would like to point out that these decisions were made on division. I remind honourable senators that under the Supreme Court Act, only the Governor-in-Council can refer matters to the Supreme Court. It is not within the power of this chamber to do so.

How honourable senators decide to proceed will no doubt be the subject of much debate and examination, and I urge caution and careful deliberation as we enter into this grey area without the comfort of rules and procedures that have been years in the making.

In these deliberations, honourable senators would do well to consider the potential impact of this matter on the public reputation of the Senate as well as its acceptability in a more limited procedural sense.

I would like to make reference, if I may, to a text with which most honourable senators are quite familiar. In 2003, Professor C.S. Franks published an article entitled, "The Senate in Modern Times," which can be found in chapter 6 of the Honourable Senator Joyal's book entitled, *Protecting Canadian Democracy: The Senate You Never Knew*. Professor Franks, a widely respected authority on Canada's Parliament, provides a useful reference point for those of us here today. In his assessment of the work of Senate committees, Professor Franks noted that public perceptions of the Senate are heavily, and negatively, influenced by relatively exceptional circumstances of high-profile partisan conflict. He went on to observe:

The thoughtful deliberations and first-rate investigations that the Senate carries out in an efficient, non-partisan manner — the normal routine of the Upper House — are largely ignored by the media.

More specifically, having considered the legislative work of the Senate committee, Professor Franks concluded that the case studies he had examined:

... show the Senate performing a legislative role complementary to that of the House of Commons, and making a largely non-partisan and highly constructive contribution to the legislative process.

That is found at page 177.

• (1630)

I urge honourable senators to seriously consider the implications of the actions being reported here today, including the presentation of observations that were drafted by the opposition without any participation by other committee members. Like the amendments and recommendations I have presented as required by my role as committee chairman, these observations were a partisan *fait accompli*. There was not even the pretence of collaboration, not even a gesture towards the working culture that Professor Franks identifies as central to the Senate's traditional contribution and its capacity to complement the naturally more partisan work of the House of Commons.

This brings us to the larger question honourable senators cannot avoid today: Do the changes and related actions that we must consider in this report stage debate contribute to the strengths of this institution or undermine them? Would the acceptance of this report by the chamber testify to the continuing vitality of the traditions Professor Franks identifies, or merely provide another media moment when the Senate confirms the lowest opinions of its detractors? Honourable senators, it is not just the fate of this bill that is in our hands; it is the larger fate

of our institution, ultimately determined by the public's perceptions that are shaped by how we conduct ourselves at critical moments when institutions reveal themselves for what they truly are.

Hon. Anne C. Cools: Would the honourable senator answer a few questions?

Senator Oliver: I will try.

Senator Cools: In the remarks of the honourable senator, he made some reference to the committee or some people on the committee acting against the opinions of most of the procedural authorities. Could he tell us who those procedural authorities might be?

Senator Oliver: I cited them from the *Rules of the Senate*.

Senator Cools: I did not realize the *Rules of the Senate* was a person or people. "Procedural authorities" are usually persons or people. I heard what the honourable senator said in terms of citing the *Rules of the Senate*, but he distinctly said "the procedural authorities." In my understanding, an "authority" is a person. Perhaps I misunderstood.

Senator Stratton: No, the institution; this is an institution.

Senator Cools: I thank the honourable senator for telling me that.

When one says "an authority," there usually is a human body behind it. That has not been answered. That is fine.

Essentially, Senator Oliver is attempting to impugn other members of the committee and to say that they did not observe the *Rules of the Senate* in this work. That is a different matter.

My other question concerns the fact that, as a senator, I attempt to make a contribution and to raise what I consider to be serious questions. As the honourable senator knows, I was once a member of his committee, and I am no longer for reasons that are still not totally clear to me. I did attend a particular meeting of the Standing Senate Committee on Legal and Constitutional Affairs at which time I put what I thought were some important questions to the gentlemen who appeared before the committee. I have forgotten their names, but they were the gentlemen lawyers from the Privy Council Office. At the time, I understood that I was to have my questions answered. I have not heard from the committee, and I have not heard from the Privy Council gentlemen. Could the chairman of the committee tell me what the government's answers were to the questions that I raised at the committee?

Senator Oliver: Honourable senators, Senator Cools has attended dozens of meetings of the Standing Senate Committee on Legal and Constitutional Affairs. I do not know what committee she is referring to, and I do not recall the witnesses to whom she is referring. Honourable senators, if she would refer me to the day and the date and names of the witnesses, I will do my best to obtain that information and report it back to this chamber.

Senator Cools: I am sure Senator Oliver would discover, if he would examine the record, that I have not attended a meeting of the Legal and Constitutional Affairs Committee for quite some time. The last time I attended was on Bill S-4, and I am trying to

remember now, for it was with the Federal Accountability Act when I was so rudely and terribly removed from the committee. I cannot tell him the exact date of the last meeting I attended, but I have no doubt that it would be easy for Senator Oliver to discover that date. I remember one of the names of the Privy Council gentlemen; it was Mr. Matthew King. I asked him important questions in respect of the drafting of the bill and in respect of the sections of the BNA Act which described what senators were and in respect to words about “holding” and the senator’s place. I had contended and raised an important point that the bill had completely altered the BNA Act. I can look up the sections, but I would have thought that my presence there that day was easily remembered.

The Hon. the Speaker: Continuing debate?

Senator Cools: I would like to ask another question, then. I did not realize that the honourable senator just refused. I was under the impression that questions should be answered.

I would like to ask the chairman of the committee the following: I have raised several questions here on the floor of this house in respect of the Senate tenure bill, and I have not received one single answer. If not Senator Oliver, perhaps some member of the government could tell me when I could get an answer.

The Hon. the Speaker: Honourable senators, Senator Oliver’s time is expired. Continuing debate.

Hon. Joan Fraser: Honourable senators, I would ask leave to ask one quick question of Senator Oliver.

The Hon. the Speaker: It is up to Senator Oliver to ask leave for an extension of his time.

Senator Oliver: For the one question, I agree.

The Hon. the Speaker: I have to get consent of the house. Does the house agree?

Hon. Senators: Agreed.

Senator Fraser: Thank you very much, honourable senators.

When I was listening to the explanation of Senator Oliver, of the amendments made in committee and his description of the original bill, he explained the committee’s decision to amend the bill in order to specify that terms of senators should not be renewable or extendable. I thought it would be worth putting on the record, should anyone be consulting this debate — and I hope he will agree with me — that the original bill was silent about the matter of renewable terms. It did not say that terms could not be renewed. Therefore, it was widely assumed, including, I believe, by Prime Minister Harper in his appearance before the special committee on the subject matter of the bill, that because the original bill did not say anything and did not say the terms cannot be renewed, that meant they would have been renewable. That was why the committee thought it necessary, on division, as was pointed out, to specify that terms not be renewable or extendable. Does the honourable senator agree with me that that is worth putting on the record?

Senator Oliver: I deeply appreciate Senator Fraser raising that question. It helps to clarify what the committee did. I could have added a sentence to my remarks that said just that. I could have talked about the language of the original bill, which was

quite a short bill. I did not do that, and Senator Fraser’s explanation helps clear the record, and I thank her for that.

On motion of Senator Fraser, debate adjourned.

• (1640)

KYOTO PROTOCOL IMPLEMENTATION BILL

THIRD READING—MOTION IN AMENDMENT—
DEBATE CONTINUED—
VOTE DEFERRED

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Trenholme Counsell, for the third reading of Bill C-288, to ensure Canada meets its global climate change obligations under the Kyoto Protocol;

And on the motion in amendment of the Honourable Senator Tkachuk, seconded by the Honourable Senator Angus, that Bill C-288 be not now read a third time but that it be amended:

(a) in clause 3, on page 3, by replacing line 19 with the following:

“Canada makes all reasonable efforts to take effective and timely action to meet”;

(b) in clause 5,

(i) on page 4,

(A) by replacing line 2 with the following:

“to ensure that Canada makes all reasonable efforts to meet its obligations”,

(B) by replacing line 6 with the following:

“ance standards for vehicle emissions that meet or exceed international best practices for any prescribed class of motor vehicle for any year,”, and

(C) by adding after line 13 the following:

“(iii.2) the recognition of early action to reduce greenhouse gas emissions, and”,

(ii) on page 5,

(A) by replacing line 9 with the following:

“(a) within 10 days after the expiry of each”,

(B) by replacing line 23 with the following:

“first 15 days on which that House is sitting”, and

(C) by replacing lines 26 and 27 with the following:

“each House of Parliament is deemed to be referred to the standing committee of the Senate and the House of Commons that”;

(c) in clause 6, on page 6, by adding after line 29 the following:

“(3) For the purposes of this Act, the Governor-in-Council may make regulations restricting emissions by “large industrial emitters”, persons that the Governor-in-Council considers are particularly responsible for a large portion of Canada’s greenhouse gas emissions, namely,

(a) persons that are part of the electricity generation sector, including persons that use fossil fuels to produce electricity;

(b) persons that are part of the upstream oil and gas sector, including persons that produce and transport fossil fuels but excluding petroleum refiners and distributors of natural gas to end users; and

(c) persons that are part of energy-intensive industries, including persons that use energy derived from fossil fuels, petroleum refiners and distributors of natural gas to end users.”;

(d) in clause 7,

(i) on page 6,

(A) by replacing line 32 with the following:

“that Canada makes all reasonable attempts to meet its obligations under”, and

(B) by replacing line 38 with the following:

“ensure that Canada makes all reasonable attempts to meet its obligations”, and

(ii) on page 7, by replacing line 4 with the following:

“(3) In ensuring that Canada makes all reasonable attempts to meet its”;

(e) in clause 9,

(i) on page 7, by replacing line 33 with the following:

“ensure that Canada makes all reasonable attempts to meet its obligations”, and

(ii) on page 8,

(A) by replacing line 3 with the following:

“Minister considers appropriate within 30 days”, and

(B) by replacing line 7 with the following:

“(1) or on any of the first fifteen days on which”;

(f) in clause 10,

(i) on page 8,

(A) by replacing line 9 with the following:

“10. (1) Within 180 days after the Minister”,

(B) by replacing line 11 with the following:

“tion 5(3), or within 90 days after the Minister”, and

(C) by replacing line 38 with the following:

“(a) within 15 days after receiving the”, and

(ii) on page 9,

(A) by replacing line 6 with the following:

“Houses on any of the first 15 days on”, and

(B) by replacing line 9 with the following

“(b) within 30 days after receiving the advice,”;

(g) in clause 10.1, on page 9,

(i) by replacing line 17 with the following:

“and Sustainable Development may prepare a”,

(ii) by replacing line 32 with the following:

“report to the Speakers of the Senate and the House of Commons”, and

(iii) by replacing lines 34 and 35 with the following:

“Speakers shall table the report in their respective Houses on any of the first 15 days on which that House”.

Hon. J. Trevor Eyton: Honourable senators, I rise to participate in the debate concerning the proposed amendment to Bill C-288.

In proposing this bill, the Liberals are asking us to completely forget about their failing record on the matter of climate change.

Ten years ago, the Liberal government agreed to the Kyoto Protocol. In the years since, Canada’s greenhouse gas emissions have risen dramatically. In 1997, when the Liberal government signed the Kyoto Protocol, Canada was 22 per cent above the target of reducing our greenhouse gas emissions to 6 per cent below 1990 levels by 2008-12. By the year 2006, when the Liberal government left office, Canada was 33 per cent above its target.

As Environment Minister John Baird stated in his recent appearance before the Standing Senate Committee on Energy, the Environment and Natural Resources:

When the starting pistol went off in what was to be a 15-year marathon to reduce greenhouse gas emissions in Canada under the Liberal government, Canada began to run in the wrong direction.

That is a succinct summation of the Liberal performance.

The raw figures of greenhouse gas emissions while the Liberals were in office demonstrate that we are far away from meeting our Kyoto targets, such that even the leader of the Liberal Party acknowledges it was impossible to achieve.

In the July 1, 2006 *National Post* story entitled "Dion admits Liberal's Kyoto goal impossible: Ex-minister first in party to say 2012 targets are out of reach," Stéphane Dion stated:

In 2008, I will be part of Kyoto, but I will say to the world I don't think I will make it.

Stéphane Dion is not the only Liberal Party luminary to take such a view. For instance, according to the *Montreal Gazette* of February 23, 2007, Eddie Goldenberg, former senior adviser to Jean Chrétien, admitted in a speech delivered that same month to the Canadian Club of London that "the Liberal government itself wasn't even ready at the time with what had to be done."

At the end of the day, honourable senators, where did the environmental posturing leave the former government? Where did it leave Canadians? On reflection, in terms of its greenhouse gas mitigation efforts, the former government's primary achievements lay in putting out reports and studies. Their secondary achievement was in raising expectations by making grand commitments. However, when it came to doing something toward actually bringing any of their commitments to fruition, when it came to meaningful and realistic actions, the former government was a disappointment to Canadians.

In 2006, in her last report before leaving her office, the former Commissioner of the Environment and Sustainable Development took issue with the previous government's efforts on climate change. Of the Liberal years in office she stated:

It is disturbing that despite \$6.3 billion in announced funding since 1997, there is still no government-wide consolidated monitoring and reporting of climate change performance and spending.

In other words, at the level of the actual administration of the greenhouse mitigation efforts, the former government did not have its act together or, as former Liberal leadership candidate Mr. Ignatieff stated with respect to the Liberal government's performance on Kyoto, "We didn't get it done."

I would be curious to know what the sponsor of Bill C-288 thinks of Mr. Ignatieff's comments in view of the fact that he supported his leadership candidacy, or what he thinks of Mr. Ignatieff's statement quoted in the *Montreal Gazette* on May 30, 2006 criticizing the Kyoto scheme of buying carbon credits from less polluting countries. He stated then:

We'll clean up Kazakhstan, but we won't clean up downtown Toronto.

Were the Liberals willing to clean up Kazakhstan but not Toronto? If he was wrong, did Senator Mitchell attempt to correct it? Did he offer him any advice on the environment? If so,

did Senator Mitchell inspire him to use the phrase "We didn't get it done"?

Certainly, supporters of Bill C-288 must have a coherent response to these criticisms of Kyoto and their environmental record, or maybe they do not, or maybe they just did not care. Perhaps the Liberal Party has not learned lessons on this file from their time in office. Perhaps, as it seems with Bill C-288, the Liberals are content to continue to play the politics of symbolism with a Kyoto brand, just as they did when they were in government.

Honourable senators, if meeting our Kyoto targets was as easy as the Liberals are suggesting with Bill C-288, why did they not do it when they were in office? The fact is, they did not do what they promised. The fact is, they did not even come close.

Honourable senators, the Conservative government has been taking steps to correct the dismal Liberal record on climate change. With "Turning the Corner, An Action Plan to Reduce Greenhouse Gases and Air Pollution," the Conservative government tabled a realistic and balanced plan to actually make progress on the file.

Senator St. Germain recently put a few facts on the record about this plan that are worth repeating. "Turning the Corner" will put this country on track for absolute greenhouse gas reductions of 20 per cent by 2020. Canada's plan will result in a 60 to 70 per cent reduction of 2006 emissions by 2050, a long-term goal that is consistent with the European Union's proposal for a global target for reductions of 50 per cent by 2050 over 1990 levels and is also consistent with Japan's recent policy statement.

I might add that Budget 2007 invested \$4.7 billion in clean air and water, greenhouse gas reduction, climate change action and environment protection. The Government of Canada is committed to actively participating in the United Nations processes on climate change, but meeting our emission reduction target of 6 per below 1990 levels throughout the period of 2008-12 is simply not possible without imposing severe, even punishing, costs in Canada or, even worse, sending Canadian dollars overseas to buy the equivalent of hot air on the international markets.

Canada cannot meet its Kyoto targets within the prescribed time frame in a fiscally responsible manner. We cannot do in six months what the Liberal government failed to do in 10 years, which was supposed to be completed in 15 years.

Testimony before our committee indicated that cutting greenhouse gas emissions by 33 per cent would lead to deep recession, major job losses, and a significant decline in income for Canadians. Honourable senators, the amendment before us will bring a measure of reason to Bill C-288. In the absence of amendments, it is my view that Bill C-288 should be defeated because it is unrealistic, reckless and irresponsible.

That said, the amendment itself could stand a small refinement, which might make it more acceptable to some honourable senators who apparently were unwilling to accept the notion proposed by witnesses that those who had taken early action to reduce emissions should now receive recognition for those efforts.

• (1650)

MOTION IN SUBAMENDMENT

Hon. J. Trevor Eyton: Accordingly, I move, seconded by the Honourable Senator Tkachuk:

That the motion in amendment be amended by deleting amendment (b)(i)(C).

Senator Tardif: Question!

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?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker pro tempore: Will all those in favour of the motion in amendment please say “yea”?

Some Hon. Senators: Yea.

The Hon. the Speaker pro tempore: Will all those opposed to the motion in amendment please say “nay”?

Some Hon. Senators: Nay.

The Hon. the Speaker pro tempore: In my opinion, the “yeas” have it.

And two honourable senators having risen:

The Hon. the Speaker pro tempore: Is there agreement on the time of the vote?

Hon. Terry Stratton: If I may, with respect to rule 67(1), 67(2) and specifically, rule 67(3), as this is a Thursday:

When a standing vote has been deferred, pursuant to section (1) above, on a Thursday and the next day the Senate sits is a Friday, the Chief Government Whip may, from his or her place in the Senate at any time before the time for the taking of the deferred vote, again defer the vote until 5:30 o'clock p.m. on the next day thereafter the Senate sits.

Hon. Sharon Carstairs: Honourable senators, I understand we are sitting at six o'clock on Monday. We cannot therefore have a vote at 5:30, so may we have some clarification?

Senator Stratton: I would like to explain, if I may. I believe Senator Cowan would confirm we have agreement that the vote will take place at seven o'clock and not 5:30.

Does the Honourable Senator Cowan agree?

Hon. James S. Cowan: Yes.

The Hon. the Speaker pro tempore: The vote will be at seven o'clock on Monday, June 18.

CRIMINAL CODE

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the Honourable Senator Oliver, seconded by the Honourable Senator Johnson, for the third reading of Bill C-277, to amend the Criminal Code (luring a child).—(*Honourable Senator Tardif*)

An Hon. Senator: Question!

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

Motion agreed to and bill read the third time and passed.

BUSINESS OF THE SENATE

Hon. Donald H. Oliver: Honourable senators, I would like to revert to Presentation of Reports from Standing or Special Committees.

The Hon. the Speaker pro tempore: Is leave granted to revert?

Hon. Sharon Carstairs: I will give leave if there is not to be a speech, Your Honour.

The Hon. the Speaker pro tempore: There was a request for an explanation.

Senator Oliver: Is leave granted, honourable senators?

Senator Carstairs: Honourable senators, I have been asked to give leave. I am prepared to give leave if it is simply to table a report. The last time I gave leave to table a report, it ended up being quite a long speech.

Senator Oliver: Not from me.

Senator Carstairs: I am prepared, if Senator Oliver is just tabling the report, to give him leave to do so, but if he then follows with a speech, I am not prepared to give him leave.

The Hon. the Speaker pro tempore: Does the Honourable Senator Oliver plan to table a report?

Senator Oliver: I would like to table a report.

The Hon. the Speaker pro tempore: Does the honourable senator wish to make a speech or simply present a report?

Senator Oliver: For a third time, I would like to table a report.

The Hon. the Speaker pro tempore: Is leave granted that Senator Oliver table a report?

Senator Cools: The question has not been answered.

Senator Carstairs: Can the honourable senator say yes or no; is he giving a speech following the tabling of the report, or is he not giving a speech following the tabling of the report?

Senator Cools: An easy question.

Senator Smith: Give the speech another day.

Senator Oliver: Under the *Rules of the Senate*, the normal procedure is that if a report is tabled, the Speaker says, "When shall this report be taken into consideration?" That is when speeches are normally given.

The Hon. the Speaker pro tempore: There is no speech in presentation of reports. Is leave granted, honourable senators, to revert to presentation of reports?

Hon. Senators: Agreed.

BILL TO AMEND CERTAIN ACTS IN RELATION TO DNA IDENTIFICATION

REPORT OF COMMITTEE

Hon. Donald H. Oliver, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, June 14, 2007

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

FOURTEENTH REPORT

Your Committee, to which was referred Bill C-18, An Act to amend certain Acts in relation to DNA identification, has, in obedience to the Order of Reference of Wednesday, May 9, 2007, examined the said Bill and now reports the same without amendment but with observations, which are appended to this report.

Respectfully submitted,

DONALD H. OLIVER
Chair

APPENDIX

BILL C-18, AN ACT TO AMEND CERTAIN ACTS IN RELATION TO DNA IDENTIFICATION

Observations to the Report of the Standing Senate Committee on Legal and Constitutional Affairs

Provided that an individual's rights under the *Canadian Charter of Rights and Freedoms* are respected, giving police the tools to utilize DNA fully in the investigation of crime is a worthy objective. Your Committee therefore supports the overall goals and methods of Bill C-18. We do, however, have concerns with some of its details.

We have reservations about the sharing of information found in the National DNA Data Bank with foreign jurisdictions. Our concern is that these jurisdictions may ask for information from the Data Bank in their efforts to resolve offences which are not offences under Canadian law. For example, non-violent political dissent may be considered a criminal act in certain jurisdictions and we do not wish to see the Data Bank facilitating the prosecution of these offences. Therefore, we recommend that one of the criteria for the sharing of information with foreign jurisdictions be that the offence alleged to have been committed in the foreign jurisdiction be considered an indictable offence under Canadian law and that appropriate legislation or regulations be prepared.

Your Committee also has concerns about the ability of the Attorney General to make an *ex parte* application (that is, one without notice to, and in the absence of, the affected individual) in order to correct a clerical error on a DNA order. Given that, in almost all cases, the facially defective order will have already been executed to obtain DNA evidence that may later be used against an individual, the government should consider a future provision by which the affected individual or his or her counsel would either receive prior notice of the application or disclosure that the application has been made and the order modified.

Your Committee notes the last recommendation of the Auditor General of Canada in her May 2007 report regarding management of the Forensic Laboratory Services (FLS). She stated that the RCMP should ensure that parliamentarians receive the information that they require in order to hold government to account for the performance of the FLS. Your Committee emphasizes that Parliament needs full and transparent reporting by the government in order to monitor and evaluate the cumulative effect that successive pieces of legislation have had, not only on the FLS, but on the operation of the DNA databank and its impact on individuals.

The *DNA Identification Act* came fully into force on 30 June 2000. Section 13 of the Act required a review of the provisions and operation of the Act within five years, to be undertaken by any committee of the Senate, of the House of Commons or of both Houses of Parliament. To date, no such review has been undertaken. Your Committee is concerned that two bills that originally set up a DNA data bank and now alter the manner in which it is operated and used will have been adopted by Parliament without a fundamental review of the system taking place. A review of the DNA system is urgently required, so that Parliament may determine what, if any, changes are required to improve it and the manner in which it is used.

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

Senator Oliver: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(g), I move that the report be placed on the Orders of the Day for consideration later this day.

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

An Hon. Senator: No.

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

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FOURTH REPORT OF COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Nolin, for the adoption of the fourth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (amendments to the *Rules of the Senate*—questions of privilege and points of order), presented in the Senate on April 18, 2007.—(*Honourable Senator Cools*)

Hon. Wilbert J. Keon: I move adoption of the report standing in my name.

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

Hon. Anne C. Cools: Are we on Order No. 13?

Senator Tardif: Yes, we are.

Senator Cools: That is resuming debate for the adoption of the fourth report that is being held in my name?

Senator Comeau: Yes, it is.

The Hon. the Speaker *pro tempore*: That is right.

Senator Cools: I do not understand. Why is someone else moving a motion that is not standing in their name if I am holding the adjournment?

Senator Comeau: It is at day 14.

Senator Cools: Honourable senators, I would like to stand that debate. It is it not day 15; there is no problem.

The Hon. the Speaker *pro tempore*: Does the Honourable Senator Cools wish to adjourn the debate?

Senator Cools: The motion is already standing in my name. It does not need to be adjourned; it is already adjourned. It has been standing in my name because I plan to speak to it.

Hon. Consiglio Di Nino: Honourable senators, this is —

• (1700)

Senator Cools: Honourable senators, if Senator Di Nino speaks now, that would have the effect of closing the debate. As I said, perhaps if honourable senators want me to do it, I move the adjournment of the debate.

Senator Di Nino: I would like to ask a question.

The Hon. the Speaker *pro tempore*: Senator Cools has adjourned the debate.

Senator Di Nino: It has not been moved yet.

Senator Cools: I certainly moved it.

Senator Di Nino: It has not been approved yet. I would like to ask a question. Her Honour has not yet put the question.

Senator Cools: Your Honour, I move the motion for adjournment.

Senator Di Nino: Honourable senators, all I want to do is ask a question of Senator Cools.

Senator Cools: The honourable senator did not say so.

Senator Di Nino: That is what I said: I want to ask a question.

Senator Cools: I do not wish to begin and lose any of that time. The 15 minutes that I have is so brief.

Senator Di Nino: Does the honourable senator refuse to answer my question?

Senator Cools: I have not refused to answer anything. I am sure the honourable senator can await what I have to say with interest, and I will be happy to answer then, when I rise to speak on the question.

Senator Di Nino: Let the record show that Senator Cools refused to answer my question.

Senator Cools: The record shows a lot of nonsense. I am sure it can show a little bit more.

On motion of Senator Cools, debate adjourned, on division.

THE SENATE

MOTION TO URGE CONTINUED DIALOGUE BETWEEN PEOPLE'S REPUBLIC OF CHINA AND THE DALAI LAMA—MOTIONS IN AMENDMENT AND SUBAMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Andreychuk:

That the Senate urge the Government of the People's Republic of China and the Dalai Lama, notwithstanding their differences on Tibet's historical relationship with China, to continue their dialogue in a forward-looking manner that will lead to pragmatic solutions that respect the Chinese constitutional framework, the territorial integrity of China and fulfill the aspirations of the Tibetan people for a unified and genuinely autonomous Tibet;

And on the motion in amendment of the Honourable Senator Carstairs, P.C., seconded by the Honourable Senator Corbin, that the motion be not now adopted but that it be amended immediately following the word “of” in the first line by eliminating all the words in the rest of the motion and by replacing them with the following:

“Canada and in particular the Foreign Affairs Minister to have discussions with the Foreign Minister of the People’s Republic of China regarding the Dalai Lama and the aspirations of the Tibetan people.”

And on the subamendment of the Honourable Senator Di Nino, seconded by the Honourable Senator Cowan, that the motion in amendment be amended immediately following the words “Canada and in particular the Foreign Affairs Minister to” by eliminating all subsequent words and replacing them with the following:

“encourage the Government of the People’s Republic of China and the Dalai Lama, notwithstanding their differences on Tibet’s historical relationship with China, to continue their dialogue in a forward-looking manner that will lead to pragmatic solutions that respect the Chinese constitutional framework, the territorial integrity of China and fulfill the aspirations of the Tibetan people for a unified and genuinely autonomous Tibet.”—(*Honourable Senator Tardif*)

Hon. Sharon Carstairs: Honourable senators, I had hoped that, by my amendment last week, we could resolve any disagreements on Motion No. 140. Unfortunately, I was not successful with that. Senator Di Nino has introduced a subamendment that, with the exception of directing our government, rather than China, returns the motion to its original form. Therefore, honourable senators, I must take some time to tell this chamber why I still have concerns with Senator Di Nino’s motion.

It is fair to say that most of us have little detailed knowledge of China and its Constitution. Those who have participated in the Canada-China Inter-Parliamentary Group perhaps have greater knowledge. However, China is a closed society, and outsiders still, for the most part, see what the Government of China wants us to see.

I have been to China and I studied Chinese history at the master’s level, but I do not know China. Similarly, I do not know very much about Tibet. I have great respect for the Dalai Lama as a man and as a religious leader, but I know little about his political activity or his ability to be the best person to negotiate with China to recognize rights for Tibet. Therefore, honourable senators, I have a dilemma. I have given my amendment, which would narrow the motion considerably and give me a comfort level. I cannot support the subamendment.

Honourable senators, I do recognize the importance of this motion to Senator Di Nino and I do not want to put obstacles in his way. However, I did not like his original motion, which is why I made an amendment. I do not like his subamendment and I will have to vote against it.

Hon. Consiglio Di Nino: Honourable senators, I would like to ask a question. The honourable senator said that I reverted back to the original motion. I thought I had made it plain that I was quite happy to accept the amendment that withdrew the plea, if you wish, to the Chinese government and the Dalai Lama, which seemed to have been the issue that created some concern. It is not the original motion that I put as an amendment. I have amended it so that the urging is to the Government of Canada and not, as originally, to the Chinese government. The only reference to the Government of China is to urge the Government of Canada to encourage the commencement of dialogue. Does the honourable senator agree that that is the case?

Senator Carstairs: As I indicated in my comments, I recognized that the honourable senator had accepted the part of my motion that had to do with urging the Government of China and had agreed that we should, in fact, urge the Government of Canada.

However, the honourable senator has insisted on leaving in his motion:

... to continue their dialogue in a forward-looking manner that will lead to pragmatic solutions that respect the Chinese constitutional framework, the territorial integrity of China and fulfill the aspirations of the Tibetan people for a unified and genuinely autonomous Tibet.

Honourable senators, with the greatest respect, I do not understand the Constitution of China well enough and I do not understand the autonomous ambitions and desires of the people of Tibet. I am quite prepared to pass a motion that urges the Government of Canada, and the foreign minister, in particular, to urge the Government of China and the Dalai Lama to enter into negotiations, but I do not want it restricted in terms of what they should enter into a dialogue about. Therefore, I cannot support Senator Di Nino’s motion, and that is why I moved the amendment.

Senator Di Nino: The honourable senator has answered my question. I thought she had said that the original motion stood. It was, in effect, as I suggested, by changing the urging to the Government of Canada, not the Chinese government, so I withdraw the question.

On motion of Senator Cools, debate adjourned.

[*Translation*]

IMPACT OF CHARTER OF RIGHTS AND FREEDOMS ON RIGHTS OF CANADIANS AND PREROGATIVES OF PARLIAMENT

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Segal calling the attention of the Senate to the impact that the *Charter of Rights and Freedoms* has had these past 24 years on the rights of Canadians and the prerogatives of the Parliament of Canada.—(*Honourable Senator Joyal, P.C.*)

Hon. Maria Chaput: Honourable senators, I am pleased to speak today in the debate on Senator Segal's inquiry concerning the impact that the Charter of Rights and Freedoms has had these past 24 years on the rights of Canadians and the prerogatives of the Parliament of Canada.

More specifically, I would like to talk about the impact the Canadian Charter of Rights and Freedoms has had on francophone minorities in Canada.

April 17, 1982 was a turning point in the history of our country that changed the lives of all Canadians who share our typically Canadian values and principles. The adoption of the Canadian Charter of Rights and Freedoms reinvigorated and granted legitimacy to all Canadians who live in minority communities. The adoption of the Charter also became a source of pride for the members of the majority who decided to treat their minority communities with tolerance and respect. The Charter expresses and protects our country's fundamental values, and sets out a vision for a society in which these values are put into practice in everyday life. The values on which our country was built, such as tolerance, respect, justice, linguistic duality and the protection of the most vulnerable, provide a framework within which our country may achieve its full potential. The Charter is much more than just a legal document: it frames and protects Canada's fundamental values and principles.

At the national level, the Charter has become the driving force behind the courts' interpretation and application of rights and freedoms, especially the rights of minority-language communities. The rulings handed down by the Supreme Court are a reflection of the Charter's strength. Clearly, minority official-language groups have benefited primarily from a series of Supreme Court interpretations in various rulings on section 23 of the Charter.

• (1710)

Section 23 gives parents belonging to an official-language minority group a progressive scale of rights. Beginning with the general right to have their children educated in the official language of the minority group to which they belong, where numbers warrant, the linguistic minority groups were given the right to manage their own educational institutions and then the right to have their own schools. Even though official-language minority communities had understood for many, many years that schools could play a key role in their survival, it was section 23 of the Charter that guaranteed them the right to manage their own schools. The Supreme Court's successive interpretations of section 23 enabled minority language schools to become a reality and play a vital role in the community's full development. While school governance was in the past a reality in only a few Canadian provinces, today there are school systems and schools managed by minority groups in the 10 provinces, the two territories and in Nunavut.

Even though section 23 had an immediate and significant impact on the official language minority communities, the essence of the rights and liberties that they have been guaranteed is to be found in Charter sections 16 to 20. Section 16 entrenches the equality of the two official languages; section 17 guarantees the right to use English and French in the debates and other proceedings of Parliament; and section 18 requires that the statutes, records and journals of Parliament be printed and

published in both official languages. Section 19 authorizes the use of either English or French in any proceeding in any court established by Parliament. These rights involve primarily choosing the language for the case and the right to address the court in one's preferred language. Section 20 confers the right to use English or French to communicate with any head or central office of an institution of the Parliament or the Government of Canada. Canadians throughout the country enjoy the same federal protection under all these federal acts and in all federal courts. When a federal tribunal interprets federal legislation, the effect of the interpretation is felt throughout Canada. For example, the courts will soon be ruling on the very nature of the Royal Canadian Mounted Police. As a federal institution, is the RCMP subject to the language obligations set out in sections 16 to 20 of the Charter?

The unwritten and underlying principles on the protection of minority communities in the *Quebec Secession Reference* and cited by the Ontario Court of Appeal in the *Montfort Hospital* case, continue to lead to progress in linguistic rights. Here is what the Supreme Court said about these principles:

Underlying constitutional principles may in certain circumstances give rise to substantive legal obligations . . . which constitute substantive limitations upon government action. These principles may give rise to very abstract and general obligations, or they may be more specific and precise in nature. The principles are not merely descriptive, but are also invested with a powerful normative force, and are binding upon both courts and governments.

Before this ruling, there was a tendency to see the rights of the two language groups as symmetrical. This Supreme Court ruling gave them an asymmetrical interpretation. In its legitimate defence of French, Quebec can now invoke the concept of the underlying principles established by the court. Francophones in minority communities are now less in opposition to their Quebec counterparts because these unwritten and underlying principles are also applicable to their situation. The comments by the Supreme Court on the existence and significance of certain underlying constitutional principles, such as the protection rights of minority communities, including linguistic minority communities, may have a crucial impact on language rights. Furthermore, on the basis of the ruling handed down in the *Quebec Secession Reference* in 1988, and the ruling on the *Mahé* case in 1999, the Supreme Court, for the first time and despite the equality rights guaranteed in section 15, clearly stated that the right to equality does not necessarily mean the right to equal treatment. In fact, the Supreme Court emphasized that, in order to reach the objective of ensuring the same high-quality standard of education for the minority as for the majority, minority-language schools could be justified in receiving a greater amount, per student, than that allocated to majority schools. In *Arsenault-Cameron v. Prince Edward Island*, in 2000, the Supreme Court reiterated this idea, writing:

Section 23 is premised on the fact that substantive equality requires that official language minorities be treated differently, if necessary, according to their particular circumstances and needs, in order to provide them with a standard of education equivalent to that of the official language majority.

Thus, most minority school systems receive more funding than majority school systems do. Probably the most surprising thing is that the difference is now more widely accepted by the majority groups in the provinces and territories. Their acceptance demonstrates that there has been a sea change in the attitude of our fellow citizens as a result of the Charter of Rights and Freedoms.

Manitoba is not immune to the changes that the Charter has brought at the national level. The French language community in Manitoba now has its own school system — the Division scolaire franco-manitobaine (DSFM). Since 1870, when the province was established, and even more so since 1916, when Manitoba's French schools were abolished, the priority of the francophone community has always been French-language education. The establishment of the DSFM in 1994, which came about as a result of section 23 of the Charter of Rights and Freedoms, was the crowning achievement of all our predecessors' efforts. So our school system can now play a pivotal role in guaranteeing the full development and the vitality of our community.

Any legal decision handed down on the interpretation of the various Charter sections also applies in Manitoba. A case that was decided in another jurisdiction does not have to be retried here. Our French-speaking population enjoys the same federal protection as all other groups in Canada. In terms of federal legislation and in federal courts, our rights are protected in Manitoba. It is not by accident that the Manitoba Court of Appeal now has three bilingual judges. In fact, three of the five Court of Appeal judges are bilingual — something we had never seen before!

The Charter has also had a major influence on the Manitoba legislature. Following the Supreme Court ruling on the *Reference re Public Schools Act (Manitoba)*, the government of Manitoba was obliged to amend its school legislation, despite the fact that education is an area of provincial jurisdiction. After the Charter of Rights and Freedoms was adopted and the first rulings interpreting it were handed down, the Manitoba francophone community began to see a change in the attitude held by the government and the majority community about the French fact. The provincial French Language Services Policy, adopted in March of 1999, reflects this attitudinal change and is proof of the new open-mindedness about the French-language community in Manitoba. We just have to think back to the debate on the issue in 1982-83 to see the extent of the change in Manitobans' perception of their francophone community.

In addition to the Charter of Rights and Freedoms and the related case law, the French Language Services Policy validated the French fact in Manitoba. More and more, Manitobans understand that the francophone community is, is an asset for all Manitobans. Rather than being viewed as a mere lobby group that costs a lot of money, the francophone community is gradually coming to be seen as a special and unique part of Manitoba's cultural mosaic that contributes to the social fabric of the province and to the building of Manitoba's society. This new legitimacy has an impact on the public and political debate with the result that the francophone community in Manitoba is now more readily accepted as an asset for the province, one that makes a substantial contribution to its social, cultural and economic development. It is also because of this new legitimacy that more and more francophiles are interested in French and want not only to learn it, but also to contribute to its survival.

Finally, despite all the challenges we have had to face in the past, since the Charter of Rights and Freedoms was adopted, we have a new zest for life, a reason to believe in our future and a much more optimistic outlook for our community's survival and advancement. The protection of our language rights, now entrenched in the Charter, tells us that our children and our grandchildren will be able to live in French in Manitoba without having to work to overcome the same obstacles and to rise above the same challenges as their parents and their grandparents did. As a community, we have found a new pride in being French-speaking. The time has passed when we only dared to speak French in our homes and churches. We have come out of the closet and we are less and less timid about using our beautiful language. Our new pride allows us to take our place as full citizens of this beautiful country — Canada!

On motion of Senator Tardif, debate adjourned.

• (1720)

CONTRIBUTIONS OF THE HONOURABLE HOWARD CHARLES GREEN TO CANADIAN PUBLIC LIFE

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Murray, P.C., calling the attention of the Senate to issues concerning the faithful and exemplary service to Canada, during his entire adult lifetime, of the late Honourable Howard Charles Green of British Columbia. (*Honourable Senator Stratton*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, Senator Stratton wanted to speak this afternoon on this inquiry. Unfortunately, he could not be here.

Therefore, I move the adjournment of the debate in his name until next Monday.

On motion of Senator Comeau, for Senator Stratton, debate adjourned.

[English]

CANADA'S COMMITMENT TO DARFUR, SUDAN

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Dallaire calling the attention of the Senate to the situation in the Darfur region of Sudan and the importance of Canada's commitment to the people of this war-torn country.—(*Honourable Senator Oliver*)

Hon. Donald H. Oliver: Honourable senators, I rise today to speak to the inquiry of the Honourable Senator Dallaire calling the attention of the Senate to the situation in the Darfur region of Sudan and the importance of Canada's commitment to the people of this war-torn country.

This debate brings together two subject areas in which I have a very strong personal interest: human rights and the struggle for treatment in Africa. These are areas of interest that date back to my days as a student. That was the time that I began to explore these issues firsthand as I spent a summer travelling in northern Ethiopia, an area bordering on Sudan. My work took me across the great country of South Africa where I was a United Nations observer at the first democratic elections, in 1994, the same election that saw Nelson Mandela become president. This September I will return to Ethiopia to speak on human rights during the nation's millennium celebrations.

It is vital that we raise awareness about what is happening in Darfur as well as encouraging debate about Canada's role in helping the people of this region. This motion is an important part of that process.

Conflict in this region of Africa is not new. The fighting in Darfur has gone on for four long years and is spilling over to neighbouring Chad. Sudan has endured close to half a century of civil war and instability. The much lauded Darfur Peace Agreement, or DPA, signed a year ago between the Sudanese government and only one of the rebel factions involved in the fighting has amounted to very little and has brought no relief to civilians who bear the brunt of the conflict.

The United Nations and the African Union have more recently agreed to a proposal to triple the number of peacekeepers in Darfur to a force of 23,000 soldiers and police that will be allowed to launch pre-emptive attacks to stop the violence and to help protect civilians in the region. However, the final decision remains with Khartoum.

According to last week's *Brisbane Times*, Sudan's UN ambassador told reporters that his government would study the report when it arrived and would remark on it as soon as possible. He offered assurances that, "it will not take months."

Frankly, I am not optimistic. The President of Sudan, Omar al-Bashir, has stalled implementation of the hybrid force, the last part of the three-phase UN plan to back up African troops. The president has allowed the first two phases, but is refusing to go along with phase three arguing that he would only allow larger African forces with technical and logistical support from the UN. In response, the AU and UN said they would make every effort to keep the hybrid force predominantly African as demanded by the Sudanese president.

As the political stalemate blocks efforts for change, the carnage is worsening according to well-known *New York Times* journalist Nicholas Kristof. As he explained to Cornell University last month, the more insecure the situation becomes, the more aid groups leave. In the last several weeks alone, seven aid groups have pulled out of the region near Chad.

To make matters worse, this conflict is not the only problem afflicting the region. Sudan is the largest nation in a continent that has the highest level of poverty in the world. Please allow me to quote from last February's report from the Standing Senate Committee on Foreign Affairs and International Trade, which painted a bleak backdrop to the worsening situation in Darfur:

Thirty-six of the world's forty-nine least developed countries are located in Africa, with many of these countries, especially the most plagued with HIV/AIDS, having moved backwards in terms of key social indicators. Despite the continent's vast economic potential, Africa continues to be wracked with famine and malnutrition, high infant mortality and an average life expectancy of just 43 years. Communicable diseases such as malaria and tuberculosis, but particularly HIV/AIDS, have reached epidemic levels in many African countries that they are reversing any gains in economic development and threatening the future stability of the countries in question.

Honourable senators, our response must be a rational analysis of how best to proceed in the face of these almost insurmountable challenges. Let me begin with a review of what we are already doing in the region. In part, I want to correct any impression that we are doing little by standing idly by as hundreds of thousands suffer. In fact, this government has shown in words and in actions that it is deeply concerned with the situation in Darfur. Canada is the third largest contributor to the African Union mission in Sudan and we have been on the ground in that country for some time. We are providing 3-D assistance, that is help in the areas of diplomacy, defence and development.

Canada strongly supports current efforts led by the African Union and the United Nations to seek a political and peaceful solution to the conflict in Darfur by re-establishing a political process involving the parties to the DPA and the rebel movements that do not support the agreement.

As honourable senators are aware, we were present as observers at the talks that lead up to the agreement. We worked closely with our counterparts from the African Union, the European Union, the United Kingdom and the United States during these negotiations.

Canada provided important financial, technical and diplomatic support to the AU throughout the peace process. We are also a leader in championing the inclusion of women in the peace talks and supported the AU in efforts to integrate gender concerns into the negotiations.

We have worked with other countries at the UN to ensure the Security Council fulfills its responsibilities in addressing the conflict in Darfur. This includes support for resolution 1706, which authorizes the use of "all necessary means" to protect UN personnel and civilians. This is a clear test of the principle of responsibility to protect, endorsed by both the UN General Assembly and the UN Security Council. The responsibility to protect must now move beyond abstract words to clear action.

Last September, at the Ministerial Meeting on the Situation in Sudan at the United Nations, the Minister of Foreign Affairs Peter MacKay said:

Canada urges the Government of Sudan to help us end the suffering of the people of Darfur and bring peace to this region of Sudan by accepting a UN mission. Canada recognizes that there is still a great deal of concern on the part of the Government of Sudan about transition. Ultimately, this is about getting assistance to the people on the ground who are urgently in need. I call on the leaders

of the African nations in the region to add their voices to the global appeal to Sudan to act responsibly and accept UN peacekeepers in Darfur.

Canada has played an important advocacy role with council members, including encouraging the development of a targeted sanctions regime aimed at ending the violence in Darfur and ensuring all relevant parties in Sudan are held accountable. We are participating in both the United Nations peacekeeping efforts in southern Sudan and contributing to the African Union mission in Darfur. The Canadian Forces has about 45 people working at the AU and the United Nations in Sudan to help bring security and stability to Sudan.

Since 2004, we have contributed \$238 million in support to the African Union's mission in Darfur. We are helping to combat sexual violence and violence against women, an all too common tool of terror.

• (1730)

Since 2005, Canada has pledged over \$135 million to help Sudan, including \$85 million for humanitarian assistance and \$50 million for reconstruction. Most recently, the Canadian International Development Agency, CIDA, committed \$13 million over five years to fund an umbrella project to support the displaced populations and home communities in various areas of Sudan. CIDA's three priorities in Sudan are the reintegration of displaced populations, landmine clearance and governance. CIDA also provides reconstruction support to the Multi-Donor Trust Fund at the World Bank.

Canada's Stabilization and Reconstruction Task Force has been a leader in supporting the political and social consolidation of peace in Sudan under its conflict prevention and peace building program. Through support from the Global Peace and Security Fund, Canada is promoting initiatives in several key areas, which include implementing Sudan's peace agreements, strengthening of the rule of law institutions, reducing small arms and improving community security.

This year, 2007-08, Canada will provide up to \$23 million worth of support for peace building initiatives. Here on Parliament Hill, members of both Houses have set aside partisanship and are working together to help the people of Darfur as well as other areas where genocide is taking place. In December last year, the All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity was formally created. I am pleased that Senator Dallaire, who has a depth of experience to draw on in order to push this issue forward, has been chosen chair of the group. In addition, there are vice-chairs from each party working together on this serious issue.

As honourable senators are aware, the group was formed to raise awareness about genocide, to increase the flow of information to parliamentarians about genocide prevention and to ensure that we do all that we can to prevent genocide and crimes against humanity. Clearly we have taken a stand in Darfur and we are acting on it. The question remains: Can we do better and do more? The work we are doing in this chamber will help us to respond to that question.

As we engage in this debate and work together to seek further solutions, we need to recognize that first and foremost our role is to protect Canadian interests at home and abroad. This is the deciding principle in setting our priorities and in determining

what action we take. It is what led us to Afghanistan and it is what will colour our decision on how we can best help in Darfur.

Honourable senators, rather than leading us away from Darfur, this principle will direct us to action. We send a strong message to all nations that crimes against humanity will not be tolerated by helping to hold the Sudanese government to account for the protection of its citizens. Once more I will quote Minister MacKay at the UN, where he said:

The gravity of the crisis in Darfur demands a decisive response from the UN Security Council and from all member states in seeking the implementation of resolution 1706. This is a clear test of the principle of the responsibility to protect, endorsed by both the UN General Assembly and the UN Security Council. The responsibility to protect must now move beyond abstract words to clear action.

The Responsibility to Protect exists on paper, honourable senators. It is our duty to ensure that it exists in Darfur and beyond.

We also need to apply the lessons that we have learned in the past. The era of "none is too many" response to atrocities is over. It is time for us to take up the responsibility of punching at our weight level on the world's stage. We are not a superpower but we are a powerful nation, and we must take on the duties that come with that position. This is not the first time that we have confronted ethnic cleansing. What did we learn from the former Yugoslavia, from Rwanda, from Auschwitz? We have learned this, at least: Standing idly by as the numbers of dead and tortured mount is not an option. We have learned that we do not have unlimited wealth of resources from which to draw. Currently, we are heavily involved in Afghanistan, and we must make hard decisions about how best to allocate what resources we do have. We have learned that we have some diplomatic clout, something that we can use to pressure other nations into action. In fact, one of our most critical resources in this situation is the link that we have established with other nations. We are in a position to use our influence to pull them into the fray.

Honourable senators, the depth and complexity of problems facing Darfur dictates that in whatever form our continuing commitment will be in that region, it will be for the long term and not the short term. This is a factor that we need to weigh very carefully as we consider our involvement in Darfur. It was something that was raised as part of this debate a couple of weeks ago by Senator Andreychuk when she asked:

What can we constructively do now to support the situation in Darfur? The answer must be based on the fact that our interventions now have to be positive. We cannot go into Darfur so we feel better, and we do not really make a change for the people of Darfur, which has to be an immediate response and a long-term commitment.

Honourable senators, we are heavily involved in the region of Darfur, but the time has come to push for more real and lasting change.

On motion of Senator Cowan, debate adjourned.

THE SENATE

MOTION TO URGE GOVERNMENT TO PROMULGATE ITS ENDORSEMENT OF THE PARIS COMMITMENT ON CHILD SOLDIERS—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dallaire, seconded by the Honourable Senator Banks:

That the Senate call on the Government of Canada to widely disseminate its endorsement of the *Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups*, known as the Paris Principles and adopted by 58 countries in Paris, France on February 6, 2007; and

That the Senate urge the Government of Canada to take a global leadership role in the campaign of eradicating child soldiers as enunciated in the *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict* (2000) as well as Security Council resolutions 1539 (2004) on Children in Armed Conflict, and 1612 (2005) on Monitoring and Reporting on Violations Against Children in War.—(Honourable Senator Munson)

Hon. Rod A. A. Zimmer: Honourable senators, on May 10, our respected colleague, Senator Dallaire, implored us to lend our support for a vitally important mission: Protecting child soldiers participating in armed conflict around the world. I rise today in support of his motion but before I address this issue, I would like to extend sincere congratulations to Senator Dallaire, upon whom Memorial University of Newfoundland and Labrador conferred the degree of Doctor of Laws, *honoris causa*, on May 23. In his introduction of Senator Dallaire, Dr. John Scott, Memorial's orator, said:

The messenger who stands before you has demonstrated the kind of deep personal courage that challenges us all to want to be free, and to do what it takes to be free.

Having borne witness to unspeakable horrors of which no child should ever be a part, Senator Dallaire understands that as a prosperous and free country, Canada has an absolute obligation to assist the unlikely victims of armed conflicts throughout the world. In the case of children under the age of 18 who are broadly referred to as child soldiers, those unlikely victims are boys and girls who act as frontline soldiers, porters who carry heavy loads of ammunition and injured soldiers, spies, scouts and sex slaves.

Honourable senators, in this age of information, statistics are ubiquitous, making it difficult sometimes to assess the true weight of the fact that between 250,000 and 300,000 children under the age of 18 are participating in armed conflict around the world. To put these numbers in relative terms, the higher end of this range is close to three times the entire population of St. John's and approximately one half of the population of Winnipeg. Imagine, if you will, a mid-sized Canadian city populated exclusively with boys and girls who are actively engaged in war.

Many of those who are not forced into service join armed groups because their impoverished families need the income. In the case of refugee children, their physical proximity to areas of conflict makes them particularly vulnerable to recruitment.

• (1740)

Many children are recruited, often forcibly, after becoming separated from their families during armed conflict. This was the case for Ishmael Beah, outspoken author of a memoir of his experience as a child soldier in Sierra Leone. Mr. Beah, now 26 years old, explained the compulsion to join an armed group in this way:

When you destroy what the child knows — his family, his village, his social structure — when the kid loses everything, the only thing left that is organized are these groups.

Honourable senators, children who are seemingly brought into the fold of armed groups are often plied with drugs and alcohol and used for life-threatening tasks for which they have no training or experience. Then they are shot or left to perish when they are no longer considered useful.

In terms of prevention at the level of the individual child, it has been noted that children who are in school are not in armed groups, and women and girls with food, shelter and water are not compelled to engage in "survival sex." Part of the solution to preventing this form of child abuse entails building a protective environment for children, including providing for their education, reuniting them with family members in cases of conflict-induced separation and providing sustainable livelihoods for children who have been demobilized.

Honourable senators, when we look at the big picture, of course, protection of children can best be achieved by ending armed conflicts. Therefore, diplomatic and development efforts to prevent armed conflict and resolve it wherever it occurs continue to be essential.

The use of child soldiers in armed conflict is a major human rights problem with which all Canadians should be concerned, and which will surely continue to hit home in some very direct ways. As millions of Afghan refugees return home to face national unemployment rates hovering around 50 per cent, Canadian troops are sure to witness and experience loss of life as the Taliban lure desperate children into service as insurgents and suicide bombers.

As Senator Dallaire explained, the solution to this highly complex, global problem requires research which aims to subtract children from the doctrine of war. To that end, this year he and his team are going to Africa.

From July 16 to 20, they will carry out a simulation in Accra, Ghana, which will challenge participants as they seek collaborative interventions to prevent child recruitment or abduction. The third phase of the child soldiers project will take place in the Democratic Republic of the Congo. To ensure that a wide range of voices and experiences are heard, participants will include over 50 experts from the military, academic and humanitarian fields from Africa, North America, Europe and Asia. However, as Senator Dallaire pointed out, although research and simulation are important in developing solutions to this problem, state action is also vital to eradicating the use of child soldiers.

Honourable senators, in February, Canadian officials joined ministers and representatives of other countries in Paris to reaffirm their collective concern at the plight of children affected by armed conflict. That gathering culminated in the development of the Paris commitments to prevent children from unlawful recruitment or use by armed forces or armed groups.

Canada also asserted its support for this initiative through its ratification, almost seven years ago, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. On that front, last year, the United Nations Committee on the Rights of the Child formally commended Canada for its financial support to numerous agencies and international organizations with programs for children affected by war.

Honourable senators, of course the provision of financial aid and the endorsements of documents such as the Paris commitments are important first steps to addressing this problem. However, Canada has the ability, the experience and the international obligation to take a leadership role in this issue.

I support the proposition of our honourable colleague, Senator Dallaire, that the Department of Foreign Affairs and International Development, together with CIDA and the Department of National Defence, and in conjunction with our international partners, develop a plan for the elimination of the use of child soldiers.

We must also urge our government to participate in the implementation of the UN Security Council resolutions to ensure peacekeeping missions protect the rights of children, and to monitor reports on the rights of children in armed conflict.

Senator Dallaire poignantly stated a truth which bears repeating: These children engaged in armed conflicts should be learning, playing and aspiring to great things in life. I find myself reflecting on his question about what the future can possibly hold for children who are being abused, forced to kill and rejected by communities, and who are living with the guilt of being an instrument of death and sexual abuse.

Honourable senators, it is not the nature of a child to wield an AK-47 or provide sex on demand. Canada must fight this gross abuse of human rights through strong leadership and I, to this end, join Senator Dallaire in urging the government to take immediate action.

Hon. Jim Munson: Honourable senators, first, I thank Senator Zimmer for his intervention. It is a very positive intervention on behalf of Senator Dallaire and others who have spoken on this issue.

I know it is late in the day. I will not be that long, but I would like to speak, honourable senators, to follow up on the motion of our colleague, Senator Dallaire, regarding the need for the Government of Canada to show leadership in global efforts to end the detestable practice of using children in combat situations.

Senator Dallaire spoke to us about his own firsthand experience with child soldiers. I have a small story to tell. I worked as a journalist in Cambodia during the war there in the late 1980s and early 1990s. Like many journalists looking for a story in a war

zone, I wanted to go where the action was. To do that, we were assigned guides. The two guides were experienced in a war zone and they were armed. Both had been wounded. One had lost an arm; the other had a wooden leg. These guides in many ways were no different from other guides that had taken me into war zones around the world. The difference, though, was that these guides were children about 12 or 13 years of age.

I was just thinking, when I was in Northern Ireland once with one of the minders when I was working with CTV, that we were in a different area. These are not children of war, but teenagers brought into war. These young kids, who did not know they were young kids, had balaclavas on. We were rounding a corner and I remember this gentleman who was with us, whose name was Bobby May. He said that he would take care of foreign correspondents. We were terrified of these two men who came around the corner with machine guns. He went over to them, looked at them, and he said, "Go home to your mother, boys." He took off their balaclavas and there they were 15 and 16. They looked like men and terrified us, but they were out in the night doing what they thought was the right thing, defending the issues in Northern Ireland. These memories came back to me when I heard both Senator Zimmer and Senator Dallaire speak.

Vis-à-vis Cambodia, I wonder where those boys are today. They would be in maybe their late 30s now. I wonder, are they still alive? I think it is quite likely that they were killed.

As we know, child soldiers are often put on the front line of conflicts, sometimes even unarmed — true cannon fodder. They are used to place or to unearth land mines. Cambodia was infected with land mines. I think it is entirely likely that my young guides, given their missing limbs, were already the victims of land mines when I met them. However, trying to stay positive and say that these young children, these young child soldiers are still alive, what kind of citizens are they likely to be?

We know that child soldiers are often left, as these boys were, physically disabled and psychologically traumatized. Child soldiers are denied education and skills training and are often rejected by their former communities. The struggle to adapt to a peaceful society is difficult for them. Many are drawn to violence and crime and continue the tragic circle of conflict that we see all over the world.

• (1750)

Senator Dallaire urges our government to take action. Let us start with active support of the Paris commitment on child soldiers. The Paris Principles, based on international law, underline the importance of preventing the recruitment of children, the need to protect them, to release them from armed forces or groups, and to ensure their integration into civilian life.

This will not be easy to do; remember what Senator Dallaire said: There are currently between 250,000 and 300,000 children in armed conflicts in 53 countries around the world.

Honourable senators, as Canadians, we have our work cut out for us.

[Translation]

Obviously this situation requires a global response.

We need an approach that focuses on children and brings civil society together with humanitarian, emergency intervention, peacekeeping and development efforts.

That is where Canada could play a role. We are a middle power that is known for its peacekeeping contributions. We are involved in several countries where child soldiers are used, including Afghanistan, where an estimated 8,000 children figured among the insurgent forces in 2005.

[English]

Honourable senators, if wars were not bad enough, it seems that modern wars now involve children to a much greater extent than they did before. We should remember that it is not just so-called rebel forces that use child soldiers. Information from the United Nations High Commissioner for Refugees points to evidence that an increasing number of governments are recruiting children as soldiers. Some argue that the growing number of children in combat is due to high poverty levels, rising orphan rates and smaller and lighter arms, weapons that are light and small enough for children to use.

Others argue that refugee camps, especially in Africa, with their large concentrations of children, many orphaned, are a pool of potential fighters that rebel groups and government forces alike infiltrate.

[Translation]

Honourable senators, the United Nations says that roughly two million children died in armed conflict in the past decade. Three times as many children sustained injuries or physical disabilities, often because of a land mine. It is clear that we must take action if we hope to live in peace in the future.

[English]

In closing, honourable senators, it saddens me to think of these child soldiers who guided me through the Cambodian jungle almost 20 years ago, and to consider what their lives might be like today if, indeed, they are alive. It saddens me even more to think that this problem is getting worse and that, even if these children have grown up to become men, tens of thousands of other children around the world have been born since then to take their place. That is something for all honourable senators to think about.

On motion of Senator Tkachuk, debate adjourned.

STUDY ON PRESENT STATE AND FUTURE OF AGRICULTURE AND FORESTRY

INTERIM REPORT OF AGRICULTURE AND FORESTRY COMMITTEE ADOPTED

Hon. Joyce Fairbairn, pursuant to notice of June 12, 2007, moved:

That the third report of the Standing Senate Committee on Agriculture and Forestry entitled *Agriculture and Agri-Food Policy in Canada: Putting Farmers First!* tabled in the Senate on June 21, 2006 be adopted.

She said: Honourable senators, if you will give me fewer than five minutes, I will be quick.

In June 2006, the Standing Senate Committee on Agriculture and Forestry produced an interim report entitled *Agriculture and Agri-Food Policy in Canada: Putting Farmers First!*, which may have been the first time they ever got their names at the beginning of a report.

The report provides a brief overview of the farm income crisis. It makes a call for strategic action to put Canadian agriculture in a better situation so that it will be able to help to curb the impact on Canada's rural communities and take advantage of future opportunities.

The members of the committee made only two recommendations. The first one called for the federal government to implement a direct payment program over the next four years with payments calculated on the basis of historical yield and acreage. This type of payment was recommended in order to give farmers much needed certainty and stability when it comes to agricultural support payments so that they can better plan for the future.

The second recommendation called for the federal government to develop a Canadian farm bill in which elements such as improving the position of producers in the value-added chain, fostering the use of biofuels and research and development, recognizing social and environmental goods associated with agriculture, encouraging value-added agriculture and adopting an aggressive trade strategy that benefits farmers through the WTO and bilateral agreements are better integrated and more focused toward farmers than is the current agricultural policy framework.

I hope that we will see a response to this report, especially the farm bill, in the near future.

Motion agreed to and report adopted.

[Translation]

ADJOURNMENT

Leave having been given to revert to Notices of Motion:

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

That when the Senate adjourns today, it do stand adjourned until Monday, June 18, 2007, at 6 p.m.

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

Some Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Monday, June 18, 2007, at 6 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, 39th Parliament)

Thursday, June 14, 2007

*(*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 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology	06/05/18	0	06/05/30	07/03/29	7/07
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25	06/06/22	Legal and Constitutional Affairs	06/12/06	0 observations + 1 at 3rd	07/02/15	07/03/29	5/07
S-4	An Act to amend the Constitution Act, 1867 (Senate tenure)	06/05/30	07/02/20	(subject-matter 06/06/28 Special Committee on Senate Reform) Bill 07/02/20 Legal and Constitutional Affairs	Report on subject-matter 06/10/26 Report on bill 07/06/12	2 amends 1 recom. observations			
S-5	An Act to implement conventions and protocols concluded between Canada and Finland, Mexico and Korea for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	06/10/03	06/10/31	Banking, Trade and Commerce	06/11/09	0	06/11/23	06/12/12	8/06
S-6	An Act to amend the First Nations Land Management Act	07/04/25	07/05/15	Aboriginal Peoples	07/05/31	0	07/05/31		

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability	06/06/22	06/06/27	Legal and Constitutional Affairs	06/10/26 Report amended 06/11/06	156 Observations + 3 at 3 rd (including 1 amend. to report) 06/11/09 Total 158	06/11/09 Message from Commons-agree with 52 amendments, disagree with 102, agree and disagree with 1, and amend 3 06/11/21 Referred to committee 06/11/23 Report adopted 06/12/07 Message from Commons-agree with Senate amendments 06/12/11	06/12/12	9/06
C-3	An Act respecting international bridges and tunnels and making a consequential amendment to another Act	06/06/22	06/10/24	Transport and Communications	06/12/12	3 observations	06/12/13 Message from Commons-agree with Senate amendments 07/01/30	07/02/01*	1/07
C-4	An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0	06/05/09	06/05/11	1/06
C-5	An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts	06/06/20	06/09/28	Social Affairs, Science and Technology	06/11/02	0 observations	06/11/03	06/12/12	5/06
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04	06/05/09	—	—	—	06/05/10	06/05/11	2/06
C-9	An Act to amend the Criminal Code (conditional sentence of imprisonment)	06/11/06	07/02/27	Legal and Constitutional Affairs	07/05/03	0 observations	07/05/16	07/05/31*	12/07

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-10	An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act	07/05/30							
C-11	An Act to amend the Canada Transportation Act and the Railway Safety Act and to make consequential amendments to other Acts	07/03/01	07/03/28	Transport and Communications	07/05/17 Report amended 07/05/30	2 observations	07/05/31 Message from Commons-agree with Senate amendments 07/06/14		
C-12	An Act to provide for emergency management and to amend and repeal certain Acts	06/12/11	07/03/28	Special Committee on the Anti-terrorism Act	07/06/05	0	07/06/06		
C-13	An Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/06/06	06/06/13	National Finance	06/06/20	0	06/06/22	06/06/22*	4/06
C-14	An Act to amend the Citizenship Act (adoption)	07/06/05							
C-15	An Act to amend the Agricultural Marketing Programs Act	06/06/06	06/06/13	Agriculture and Forestry	06/06/15	0	06/06/20	06/06/22*	3/06
C-16	An Act to amend the Canada Elections Act	06/11/06	06/11/23	Legal and Constitutional Affairs	07/02/15	0 + 1 at 3rd	07/03/28 Message from Commons disagreeing with Senate amendment 07/04/27 Senate does not insist on its amendment 07/05/01	07/05/03*	10/07
C-17	An Act to amend the Judges Act and certain other Acts in relation to courts	06/11/21	06/12/11	National Finance	06/12/12	0 observations	06/12/13	06/12/14*	11/06
C-18	An Act to amend certain Acts in relation to DNA identification	07/03/29	07/05/09	Legal and Constitutional Affairs	07/06/14	0 observations			
C-19	An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act	06/11/02	06/11/21	Legal and Constitutional Affairs	06/12/14	0 observations	06/12/14	06/12/14*	14/06
C-22	An Act to amend the Criminal Code (age of protection) and to make consequential amendments to the Criminal Records Act	07/05/08							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-23	An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)	07/06/14							
C-24	An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence	06/12/06	06/12/12	National Finance (withdrawn) 06/12/13 Foreign Affairs and International Trade	06/12/14	0 observations	06/12/14	06/12/14*	13/06
C-25	An Act to amend the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and the Income Tax Act and to make a consequential amendment to another Act	06/11/21	06/11/28	Banking, Trade and Commerce	06/12/14	0 observations	06/12/14	06/12/14*	12/06
C-26	An Act to amend the Criminal Code (criminal interest rate)	07/02/07	07/02/28	Banking, Trade and Commerce	07/04/19	0 observations	07/04/26	07/05/03*	9/07
C-28	A second Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/12/11	07/01/31	National Finance	07/02/13	0	07/02/14	07/02/21*	2/07
C-31	An Act to amend the Canada Elections Act and the Public Service Employment Act	07/02/21	07/03/21	Legal and Constitutional Affairs	07/06/05 Report amended 07/06/12	10 + 2 at 3rd	07/06/14		
C-34	An Act to provide for jurisdiction over education on First Nation lands in British Columbia	06/12/06	06/12/11	Aboriginal Peoples	06/12/12	0	06/12/12	06/12/12	10/06
C-35	An Act to amend the Criminal Code (reverse onus in bail hearings for firearm-related offences)	07/06/05							
C-36	An Act to amend the Canada Pension Plan and the Old Age Security Act	07/03/20	07/04/17	Banking, Trade and Commerce	07/04/19	0	07/05/01	07/05/03*	11/07
C-37	An Act to amend the law governing financial institutions and to provide for related and consequential matters	07/02/28	07/03/21	Banking, Trade and Commerce	07/03/29	0	07/03/29	07/03/29	6/07
C-38	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.2, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	6/06
C-39	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.3, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	7/06
C-40	An Act to amend the Excise Tax Act, the Excise Act, 2001 and the Air Travellers Security Charge Act and to make related amendments to other Acts	07/05/15	07/06/05	Banking, Trade and Commerce	07/06/07	0	07/06/14		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-46	An Act to provide for the resumption and continuation of railway operations	07/04/18	07/04/18	Committee of the Whole	07/04/18	0	07/04/18	07/04/18*	8/07
C-47	An Act respecting the protection of marks related to the Olympic Games and the Paralympic Games and protection against certain misleading business associations and making a related amendment to the Trade-marks Act	07/06/14							
C-48	An Act to amend the Criminal Code in order to implement the United Nations Convention against Corruption	07/05/01	07/05/10	Foreign Affairs and International Trade	07/05/17	0	07/05/29	07/05/31*	13/07
C-49	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.4, 2006-2007</i>)	07/03/26	07/03/27	—	—	—	07/03/28	07/03/29	3/07
C-50	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No.1, 2007-2008</i>)	07/03/26	07/03/27	—	—	—	07/03/28	07/03/29	4/07
C-51	An Act to give effect to the Nunavik Inuit Land Claims Agreement and to make a consequential amendment to another Act	07/06/14							
C-52	An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007	07/06/13							
C-59	An Act to amend the Criminal Code (unauthorized recording of a movie)	07/06/14							
C-60	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No.2, 2007-2008</i>)	07/06/12							
C-61	An Act to amend the Geneva Conventions Act, An Act to incorporate the Canadian Red Cross Society and the Trade-marks Act	07/06/13							
C-62	An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act, the Wage Earner Protection Program Act and chapter 47 of the Statutes of Canada, 2005	07/06/14							

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-252	An Act to amend the Divorce Act (access for spouse who is terminally ill or in critical condition)	07/03/22	07/04/19	Social Affairs, Science and Technology	07/05/10	0	07/05/29	07/05/31*	14/07
C-277	An Act to amend the Criminal Code (luring a child)	07/03/29	07/05/10	Social Affairs, Science and Technology	07/05/31	0	07/06/14		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-280	An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171)	07/05/30							
C-288	An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol	07/02/15	07/03/29	Energy, the Environment and Natural Resources	07/05/17	0			
C-292	An Act to implement the Kelowna Accord	07/03/22	07/06/06	Aboriginal Peoples					
C-293	An Act respecting the provision of official development assistance abroad	07/03/29	07/05/29	Foreign Affairs and International Trade					
C-294	An Act to amend the Income Tax Act (sports and recreation programs)	07/04/17	07/05/02	National Finance	07/06/06	0	07/06/12		
C-299	An Act to amend the Criminal Code (identification information obtained by fraud or false pretence)	07/05/09							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05	06/06/22	National Finance	06/10/03	1	07/05/10		
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05	06/05/31	Legal and Constitutional Affairs	06/06/15	1	06/06/22		
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05	Dropped from the Order Paper pursuant to Rule 27(3) 06/06/08						
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05	07/05/29	Legal and Constitutional Affairs					
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05	06/10/31	Energy, the Environment and Natural Resources	07/02/14	0	07/04/25		
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05	06/10/31	Legal and Constitutional Affairs					
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Herveux-Payette, P.C.)	06/04/05	06/12/14	Human Rights					
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	06/04/06							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25	06/12/14	Energy, the Environment and Natural Resources	07/05/31	0			
S-210	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	06/04/25	06/12/13	Energy, the Environment and Natural Resources	07/06/07	2 observations			
S-211	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	06/04/25	06/05/10	Social Affairs, Science and Technology	06/06/13	0	06/10/17		
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26	06/09/26	Legal and Constitutional Affairs	06/12/06	1	06/12/07		
S-214	An Act respecting a National Blood Donor Week (Sen. Mercer)	06/05/17	06/10/03	Social Affairs, Science and Technology	06/12/14	0	06/12/14		
S-215	An Act to amend the Income Tax Act in order to provide tax relief (Sen. Austin, P.C.)	06/05/17	07/02/20	National Finance					
S-216	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	06/05/30	06/12/13	Aboriginal Peoples					
S-217	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	06/05/30	06/10/18	National Finance					
S-218	An Act to amend the State Immunity Act and the Criminal Code (civil remedies for victims of terrorism) (Sen. Tkachuk)	06/06/15	06/11/02	Legal and Constitutional Affairs					
S-219	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	06/06/27	07/05/31	Rules, Procedures and the Rights of Parliament					
S-220	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	06/10/03	06/11/28	Fisheries and Oceans	06/12/11	16	06/12/14		
S-221	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	06/11/01							
S-222	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures, in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	07/02/01							
S-223	An Act to amend the Access to Information Act (Sen. Milne)	07/02/15							
S-224	An Act to amend the Access to Information Act and the Canadian Wheat Board Act (Sen. Mitchell)	07/04/17							
S-225	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Carney, P.C.)	07/05/09							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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S-227	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	07/05/29							
S-228	An Act to amend the Non-smokers' Health Act (Sen. Harb)	07/05/30							
S-229	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	07/06/13							

PRIVATE BILLS

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