



CANADA

# Debates of the Senate

---

1st SESSION

•

39th PARLIAMENT

•

VOLUME 143

•

NUMBER 84

---

OFFICIAL REPORT  
(HANSARD)

**Thursday, March 29, 2007**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

## CONTENTS

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

---

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

Published by the Senate  
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.  
**Also available on the Internet: <http://www.parl.gc.ca>**

## THE SENATE

Thursday, March 29, 2007

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

Prayers.

[Translation]

### ROYAL ASSENT

#### NOTICE

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

#### RIDEAU HALL

March 29, 2007

Mr. Speaker,

I have the honour to inform you that the Right Honourable Michaëlle Jean, Governor General of Canada, will proceed to the Senate Chamber today, the 29th day of March, 2007, at 5:30 p.m., for the purpose of giving Royal Assent to certain bills of law.

Yours sincerely,

Sheila-Marie Cook  
*Secretary to the Governor General*

The Honourable  
The Speaker of the Senate  
Ottawa

• (1335)

[English]

## SENATORS STATEMENTS

### THE HONOURABLE NOËL A. KINSELLA

#### CONGRATULATIONS ON RECEIVING CHILE'S MEDAL OF THE SENATE

**Hon. David Tkachuk:** Honourable senators, I want to bring to your attention the fact that, during the various Chilean-related activities taking place this week, one deserves special mention. It was an event at the home of the ambassador. At a ceremony on Monday, the Speaker of this place, Senator Noël Kinsella, was awarded a medal — not just any medal but the highest decoration available from the Senate of Chile: the Medal of the Senate. It was bestowed upon the Speaker in recognition of — and this will surprise no one here — his work on human rights and in Parliament. You will be interested to know that the agreement to award the medal was supported unanimously by members of the elected Chilean Senate.

The medal recognizes Senator Kinsella's long toil in the area of human rights, which has earned him a well-deserved reputation beyond the boundaries of Canada. Perhaps I can solicit unanimity here from the appointed Senate before we leave for the Easter break and ask you to join me in congratulating the Speaker.

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

### BUDGET 2007

#### PROVISION FOR CITIES

**Hon. Larry W. Campbell:** Honourable senators, I wish to add my congratulations to His Honour.

Honourable senators, last week the Conservative government released their budget. Once again, the government is showing that it does not understand the issues facing Canadian cities and the millions of Canadians who make their lives there. Canada's cities have been calling for a long-term solution to correct the infrastructure deficit that hobbles their progress and prevents them from becoming world-class economic and cultural centres that draw the best and the brightest. Instead, the government has offered short-term, band-aid solutions.

The previous Liberal government developed the federal gas tax transfer in order to provide a long-term, predictable funding source for municipalities. The leader of the Liberal Party has committed to making this transfer permanent. This government has only delivered a four-year extension to this transfer. That is simply not good enough for our cities.

Further, the government has continued its re-branding exercise by combining the Liberal implemented strategic rural-municipal and border infrastructure funds into the renamed "Building Canada Fund." This fund is spread over seven years, contains no new ideas and does not meet the required long-term funding that cities need.

Honourable senators, this budget gravely fails in the area of public transit. While transit projects are eligible under the gas tax transfer and the so-called Building Canada Fund, transit projects would be in competition for these funds with all other municipal infrastructure projects. A national transit strategy has been called for by both the Federation of Canadian Municipalities' big city mayors' caucus and the Canadian Urban Transit Association. The big city mayors have called for a specific and annual \$2 billion per year investment in transit, which they feel should be:

Integrated with a predictable, permanent plan for transit that includes tax measures, research, a link to land use and transportation planning . . . as well as setting accountable targets against which to measure progress and value for money.

Instead of a comprehensive transit strategy, this Conservative government has provided a tax credit on bus passes which, while nice, will do nothing to increase ridership, improve service, assist in cleaner air and in lowering greenhouse gas emissions or provide the type of modern public transit our cities require to be competitive.

Lastly, this budget ignored the issue of affordable housing and homelessness. The government's refusal to address this issue does not mean the problem will go away. By reducing this issue to an afterthought, lumped into a \$3.3 billion fund for a variety of social issues, this government has essentially abandoned the homeless, leaving cities on the hook for dealing with the problem yet again.

The budget fails Canadian cities in several other areas, ranging from environment to policing, but most disturbing is the obvious lack of commitment to exercise smart government by partnering with the cities, along with the provinces, to solve many issues that are truly of national import.

Honourable senators, cities are where the majority of Canadian citizens live. That number is growing yearly, making Canada's cities world-class magnets for the best and the brightest. Centres able to maximize their economic potential and provide a superior quality of life for their citizens require national leadership and a vision of what this country can be. This budget, and indeed this government, fall short and fail our cities.

[Translation]

## VIMY

### PREPARATION FOR ONE HUNDREDTH ANNIVERSARY

**Hon. Roméo Antonius Dallaire:** Honourable senators, I wish to address the commemoration of Vimy in the context of the debate we had on this subject yesterday.

[English]

I am most thankful to my colleague Senator Day for the nice words he spoke yesterday about the team that worked on the restoration project and my participation therein. He never had such nice words for me when he was my senior at the military college. Time does change things, and I am most appreciative of that kind gesture on his part.

Having said that, I would like to look forward in to the future. As we look back 90 years — and many of us have spoken well, and have family links to the anniversary and the actual event in 1917 — I would like to bring our attention to the future regarding the one hundredth anniversary of Vimy Ridge and the one hundred and fiftieth anniversary of our nationhood, both of which will occur in 2017.

• (1340)

As we move toward that date, ideas on how to bring that moment of our history of nationhood into the modern era, as a reference, could be entertained by the creation of a group such as "Friends of Vimy Ridge" or "Friends of Vimy," or by working with different committees, such as the Veterans Canada Commemorative Group, to start building something toward the

[ Senator Campbell ]

one hundredth and the one hundred and fiftieth anniversaries. It should be something tangible that will make Vimy Ridge come alive in this country. In that way, Canadians will be able to reference not only the place itself, but also the nature of our country that was built on sacrifice, sweat, tears, a lot of hard work and, at times, the blood of our youth as Canada established its position in the world.

[Translation]

## AIR CANADA

### FEDERAL COURT RULING REGARDING RIGHT TO BE SERVED IN FRENCH

**Hon. Serge Joyal:** Honourable senators, last Thursday, the Federal Court of Appeal handed down an important decision against Air Canada confirming the right of passengers to be served in French and, most importantly, awarding damages of \$7,000 to the plaintiff whose rights were violated.

This is a precedent, honourable senators. This is the first time in Canadian legal history that a passenger whose right to be served in French was violated obtained financial compensation as a result of a Canadian appeal court decision.

Also unprecedented is the fact that this passenger defended himself alone at all stages of the legal process without representation or the assistance of a lawyer. This is an extraordinary feat that deserves to be highlighted.

When I myself took Air Canada to the Quebec Superior Court over 30 years ago in 1976, at least I had help from competent lawyers, which certainly helped me obtain a decision in my favour confirming the principle that this country's two official languages are equal. Most importantly, this decision validated the role of the courts in taking disciplinary action against this kind of violation. Both Air Canada's lawyers and lawyers for the Government of Canada at the time had attacked these principles.

One cannot underestimate the importance of the decision handed down last Thursday in Michel Thibodeau's suit against Air Canada.

[English]

The Federal Court of Appeal confirmed three fundamental conclusions in support of the plaintiff's linguistic rights against Air Canada. First, the Official Languages Act supersedes the clauses of a collective agreement. Air Canada cannot claim that the seniority clauses of its collective agreement prevent it from offering the services to its passengers in either of Canada's official languages, which has been a recurring argument invoked by Air Canada to excuse itself from its legal responsibilities and obligations under the law. An employee cannot trump the legal right of a customer to be served in the language of his or her choice because of a private contract, be it a collective agreement with a union or a service contract with a private supplier.

Second, the protection of linguistic rights enshrined in law imposes on Air Canada the inescapable obligation to offer the service to its passengers in both languages. Year after year, Air Canada was the object of multiple complaints and investigations in the successive annual report of the Commissioner of Official Languages.

Third, the conclusions of an investigation by the Commissioner of Official Languages, as stated in its annual report, are admissible as proof in a judicial proceeding against the offending body or institution.

Honourable senators, one must hail Mr. Michel Thibodeau, the passenger who has fought against Air Canada since August 2000, for finally achieving last week the redress he had sought. Damages of \$7,000 were awarded to Mr. Thibodeau, and that is the first time for such an award since the adoption of the Official Languages Act in 1969.

[Translation]

Thus, he has helped the entire country and official language minority groups across Canada. We should be grateful to him. Let us hope that the francophones who are seeking enforcement of the Official Languages Act by taking the new federal government to court for having abolished the Court Challenges program will be as successful in Canadian courts.

• (1345)

[English]

## AGRICULTURE AND AGRI-FOOD

### CANADIAN WHEAT BOARD— RESULTS OF PLEBISCITE ON MARKETING BARLEY

**Hon. Terry M. Mercer:** Honourable senators, Canada's "growing old government" has again chosen to be less accountable and assert its own will and policies on Canadians by making up math as they go along. With the recent plebiscite concerning the Canadian Wheat Board, the government has skewed the results to suit its own purposes, which is shocking. It is a fact that less than one third of barley farmers voted. It is a fact that barley farmers were given three choices. It is also a fact that the government has combined the results of two of the three questions in order to produce the outcome it wants.

The Leader of the Government in the Senate said yesterday:

If anyone cares to look at the exact results of the barley plebiscite, they are clearly stated on the Agriculture Canada website.

Honourable senators, I have looked at the results. Farmers were asked to choose among maintaining the board's single desk system, allowing the board to participate in a free market, or scrapping the board's role as a barley marketer. The government is saying that 62.2 per cent of the farmers voted to dismantle the Wheat Board. It is the number one gets by combining the results of the second and third questions.

Well, one could therefore combine the results of the first and the second questions. The total is 86.2 per cent, which would mean that a larger majority of farmers is in favour of keeping the Wheat Board in some form or another.

Honourable senators, my colleague in the other place, Wayne Easter, a fine Atlantic Canadian, said yesterday:

What about those farmers who voted for option #2 who thought they were voting to keep the Wheat Board in

place? The government falsely led them to believe that farmers can maintain the board in an open market environment . . .

I agree with my colleague Mr. Easter.

This plebiscite is a concoction designed to achieve what the Conservatives wanted to achieve, rather than respecting the true opinion of our farmers. I ask honourable senators on all sides to listen to what farmers are saying and respect the right to a fair and honest plebiscite — not Conservative trickery and no math games.

## FISHERIES AND OCEANS

### BELUGA WHALE HUNTING QUOTAS

**Hon. Willie Adams:** Honourable senators, yesterday we acknowledged some people in the gallery from Nunavik. Today, we have some from the same group, who are concerned about beluga hunting in the Nunavik area.

So far, five or six people have been charged for hunting over their quotas for beluga whales in the east of Hudson Bay. They have been charged and do not know why. There is no information as to what law they have been charged under. Four or five years ago we passed Bill C-5, and now the Department of Fisheries and Oceans is using that law on the people in Nunavik.

We live in Nunavut and do not have quotas. I hunt the same area, the same mammals, and have no quotas. Last week we heard witnesses from DFO who did research on belugas from Hudson Bay, up to Hudson Strait, to Baffin Island, way up to Cumberland Sound and then up to the Beaufort Sea. Those researchers and scientists told us how the population of the whales are managing to live in Hudson Bay and the Arctic. They told us that there are 59,000 belugas between the east and the west.

• (1350)

In the east, along Ungava, there is a quota of 200 belugas. They were asked why only 200 when the area to the west in Hudson Bay has 59,000. The scientists tell us that those beluga groups do not migrate to Ungava.

This morning, our witnesses for the Inuit people said hunting usually lasts up to nine months a year for belugas. Now, there are so many quotas. We were caught earlier this fall. Half the season was closed. The hunters had run out of quota. Then they got permission from DFO in Quebec City to hunt, and they did respond for a week. A hunter went to the island in October but there was a storm, and it was freezing up. That was one person and he did not see any whales on the island.

**The Hon. the Speaker:** Order. The honourable senator has 30 seconds remaining.

**Senator Adams:** Thank you, Your Honour. It is dangerous to hunt with a family and there was only one boat coming back. There were no whales. He had permission to go to the island to catch a couple of whales. When they came back, it was the wrong area so they could not catch whales.

Those people, according to the act, stated that the species was at risk, and there would be fines of up to \$300,000 per person for hunting belugas. In Nunavut, we have a population of over 29,000 Inuit people, with about 10,000 in Nunavik. Whales spawn at the rate of up to 15 per cent every year. There are close to 100,000 whales but now they are a species at risk in Canada.

**The Hon. the Speaker:** Order. The honourable senator's time has expired.

[Translation]

## ROUTINE PROCEEDINGS

### DEPARTMENTAL PLANS AND PRIORITIES, 2007-08

#### REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the report on plans and priorities, 2007-08.

[English]

### AGRICULTURE AND FORESTRY

#### BUDGET—STUDY ON PRESENT STATE AND FUTURE OF AGRICULTURE AND FORESTRY— REPORT OF COMMITTEE PRESENTED

**Hon. Joyce Fairbairn,** Chair of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Thursday, March 29, 2007

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

#### SEVENTH REPORT

Your Committee, which was authorized by the Senate on April 26, 2006, to hear from time to time witnesses, including both individuals and representatives from organizations, on the present state and the future of agriculture and forestry in Canada, respectfully requests funds for the fiscal year ending March 31, 2008.

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

Respectfully submitted,

JOYCE FAIRBAIRN, P.C.  
*Chair*

(For text of budget, see today's Journals of the Senate, Appendix A, p. 1241.)

[ Senator Adams ]

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

**Senator Fairbairn:** Later this day.

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

Motion agreed to and report placed on the Orders of the Day for consideration later this day.

• (1355)

#### BUDGET—STUDY ON RURAL POVERTY— REPORT OF COMMITTEE PRESENTED

**Hon. Joyce Fairbairn,** Chair of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Thursday, March 29, 2007

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

#### EIGHTH REPORT

Your Committee, which was authorized by the Senate on May 16, 2006, to examine and report on rural poverty in Canada, respectfully requests funds for the fiscal year ending March 31, 2008.

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

Respectfully submitted,

JOYCE FAIRBAIRN, P.C.  
*Chair*

(For text of budget, see today's Journals of the Senate, Appendix B, p. 1247.)

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

**Senator Fairbairn:** Later this day.

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

Motion agreed to and report placed on the Orders of the Day for consideration later this day.

### BILL TO AMEND THE LAW GOVERNING FINANCIAL INSTITUTIONS

#### REPORT OF COMMITTEE

**Hon. Jeremiah S. Grafstein,** Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, March 29, 2007

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

#### FOURTEENTH REPORT

Your Committee, to which was referred Bill C-37, an Act to amend the law governing financial institutions and to provide for related and consequential matters, has, in obedience to the Order of Reference of Wednesday March 21, 2007, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

JERAHMIEL S. GRAFSTEIN  
*Chair*

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

**Senator Grafstein:** Later this day.

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

Motion agreed to and bill placed on the Orders of the Day for consideration later this day.

#### ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

##### BUDGET—STUDY ON MATTERS RELATING TO MANDATE—REPORT OF COMMITTEE PRESENTED

**Hon. Tommy Banks,** Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, March 29, 2007

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

#### FIFTH REPORT

Your Committee, which was authorized by the Senate on Thursday, April 27, 2006, to undertake a review and report on the *Canadian Environmental Protection Act* (1999, c. 33) pursuant to Section 343(1) of the said Act, respectfully requests funds for the fiscal year ending March 31, 2008.

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

Respectfully submitted,

TOMMY BANKS  
*Chair*

(*For text of budget, see today's Journals of the Senate, Appendix C, p. 1259.*)

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

**Senator Banks:** Later this day.

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

Motion agreed to and report placed on the Orders of the Day for consideration later this day.

#### NATIONAL SECURITY AND DEFENCE

##### BUDGET—STUDY ON NATIONAL SECURITY POLICY—REPORT OF COMMITTEE PRESENTED

**Hon. Tommy Banks,** for Senator Kenny, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Thursday, March 29, 2007

The Standing Senate Committee on National Security and Defence has the honour to present its

#### TWELFTH REPORT

Your Committee, which was authorized by the Senate on Thursday, April 27, 2006, to examine and report on the national security policy for Canada, respectfully requests funds for the fiscal year ending March 31, 2008.

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

Respectfully submitted,

COLIN KENNY  
*Chair*

(*For text of budget, see today's Journals of the Senate, Appendix D, p. 1265.*)

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

**Senator Kenny:** Later this day.

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

Motion agreed to and report placed on the Orders of the Day for consideration later this day.

• (1400)

Thursday, March 29, 2007

BUDGET AND AUTHORIZATION TO TRAVEL—  
STUDY ON VETERANS' SERVICES AND BENEFITS,  
COMMEMORATIVE ACTIVITIES AND  
CHARTER—REPORT OF COMMITTEE PRESENTED

**Hon. Joseph A. Day**, for Senator Kenny, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Thursday, March 29, 2007

The Standing Senate Committee on National Security and Defence has the honour to present its

THIRTEENTH REPORT

Your Committee, which was authorized by the Senate on Thursday, May 11, 2006, to examine and report on the services and benefits provided to Canadian Forces, veterans of war and peacekeeping missions and members of their families in recognition of their services to Canada, respectfully requests that it be empowered to travel outside of Canada for the purpose of this study.

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

Respectfully submitted,

COLIN KENNY  
*Chair*

(For text of budget, see today's Journals of the Senate, Appendix E, p. 1277.)

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

**Senator Day:** With leave of the Senate, later this day.

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

**Hon. Senators:** Agreed.

Motion agreed to and report placed on the Orders of the Day for consideration later this day.

INTERNAL ECONOMY, BUDGETS  
AND ADMINISTRATION

FOURTEENTH REPORT OF COMMITTEE PRESENTED

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

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

FOURTEENTH REPORT

Your Committee recommends that the following funds be released for fiscal year 2007-08.

**Agriculture and Forestry (Legislation)**

Professional and Other Services	\$ 4,500
Transportation and Communications	\$ 1,000
All Other Expenditures	\$ 1,000
Total	<b>\$ 6,500</b>

**Energy, the Environment and Natural Resources (Legislation)**

Professional and Other Services	\$ 12,000
Transportation and Communications	\$ 0
All Other Expenditures	\$ 2,000
Total	<b>\$ 14,000</b>

**Foreign Affairs (Legislation)**

Professional and Other Services	\$ 3,000
Transportation and Communications	\$ 750
All Other Expenditures	\$ 750
Total	<b>\$ 4,500</b>

**Human Rights (Legislation)**

Professional and Other Services	\$ 5,000
Transportation and Communications	\$ 0
All Other Expenditures	\$ 2,000
Total	<b>\$ 7,000</b>

**Scrutiny of Regulations (Joint Committee)**

Professional and Other Services	\$ 1,200
Transportation and Communications	\$ 1,650
All Other Expenditures	\$ 2,640
Total	<b>\$ 5,490</b>

**Social Affairs, Science and Technology (Legislation)**

Professional and Other Services	\$ 5,250
Transportation and Communications	\$ 0
All Other Expenditures	\$ 2,000
Total	<b>\$ 7,250</b>

**Transport and Communications (Legislation)**

Professional and Other Services	\$ 10,000
Transportation and Communications	\$ 0
All Other Expenditures	\$ 2,000
Total	<b>\$ 12,000</b>

Respectfully submitted,

GEORGE J. FUREY  
*Chair*

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

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



## FISHERIES AND OCEANS

### BUDGET—STUDY ON ISSUES RELATING TO NEW AND EVOLVING POLICY FRAMEWORK— REPORT OF COMMITTEE PRESENTED

**Hon. Bill Rompkey**, Chair of the Standing Senate Committee on Fisheries and Oceans, presented the following report:

Thursday, March 29, 2007

The Standing Senate Committee on Fisheries and Oceans has the honour to present its

#### SEVENTH REPORT

Your Committee, which was authorized by the Senate on Tuesday, May 16, 2006 to examine and report on issues relating to the federal government's new and evolving policy framework for managing Canada's fisheries and oceans, respectfully requests funds for the fiscal year ending March 31, 2008.

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

Respectfully submitted,

WILLIAM ROMPKEY  
*Chair*

(For text of budget, see today's Journals of the Senate, Appendix F, p. 1283.)

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

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

[Translation]

## TRANSPORT AND COMMUNICATIONS

### BUDGET—STUDY OF CONTAINERIZED FREIGHT TRAFFIC—REPORT OF COMMITTEE PRESENTED

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

Thursday, March 29, 2007

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

#### SEVENTH REPORT

Your Committee, which was authorized by the Senate on Thursday, May 11, 2006, to examine and report on containerized freight traffic handled by Canada's ports, respectfully requests approval of funds for fiscal year 2007-08.

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

Respectfully submitted,

LISE BACON  
*Chair*

(For text of budget, see today's Journals of the Senate, Appendix G, p. 1291.)

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

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

### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY OF CANADIAN TELEVISION FUND—REPORT OF COMMITTEE PRESENTED

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

Thursday, March 29, 2007

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

#### EIGHTH REPORT

Your Committee, which was authorized by the Senate on Thursday, February 8, 2007, to examine and report on the objectives, operation and governance of the Canadian Television Fund, respectfully requests that it be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary, for the purpose of its study.

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

Respectfully submitted,

LISE BACON  
*Chair*

(For text of budget, see today's Journals of the Senate, Appendix H, p. 1299.)

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

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

• (1405)

Thursday, March 29, 2007

## HUMAN RIGHTS

### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY OF LEGAL ISSUES AFFECTING ON-RESERVE MATRIMONIAL REAL PROPERTY ON BREAKDOWN OF MARRIAGE OR COMMON LAW RELATIONSHIP—REPORT OF COMMITTEE PRESENTED

**Hon. Joan Fraser**, Deputy Chair of the Standing Senate Committee on Human Rights, presented the following report:

Thursday, March 29, 2007

The Standing Senate Committee on Human Rights has the honour to present its

## EIGHTH REPORT

Your Committee, which was authorized by the Senate on Thursday, April 27, 2006, to invite the Minister of Indian and Northern Affairs Canada to appear with his officials before the Committee on actions taken concerning the recommendations contained in the Committee's report entitled *A Hard Bed to lie in: Matrimonial Real Property on Reserve*, tabled in the Senate November 4, 2003, respectfully requests for the purpose of this study that it be empowered to engage the services of such counsel, technical, clerical and other personnel as may be necessary.

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

Respectfully submitted,

JOAN FRASER  
Deputy Chair

(For text of budget, see today's Journals of the Senate, Appendix I, p. 1305.)

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

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

[English]

### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY ON CASES OF ALLEGED DISCRIMINATION IN HIRING AND PROMOTION PRACTICES AND EMPLOYMENT EQUITY FOR MINORITY GROUPS IN FEDERAL PUBLIC SERVICE—REPORT OF COMMITTEE PRESENTED

**Hon. Joan Fraser**, Deputy Chair of the Standing Senate Committee on Human Rights, presented the following report:

The Standing Senate Committee on Human Rights has the honour to present its

## NINTH REPORT

Your Committee, which was authorized by the Senate on Thursday, April 27, 2006, to examine cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met, respectfully requests for the purpose of this study that it be empowered to engage the services of such counsel, technical, clerical and other personnel as may be necessary.

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

Respectfully submitted,

JOAN FRASER  
Deputy Chair

(For text of budget, see today's Journals of the Senate, Appendix J, p. 1311.)

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

**Senator Fraser:** With leave of the Senate, later this day.

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

**Hon. Senators:** Agreed.

Motion agreed to and report placed on the Orders of the Day for consideration later this day.

## STUDY ON FUNDING FOR TREATMENT OF AUTISM

### REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE TABLED

**Hon. Art Eggleton:** Honourable senators, I have the honour to table, in both official languages, the twelfth report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *Pay Now or Pay Later, Autism Families in Crisis*, which deals with the study on the issue of funding for the treatment of autism.

[Translation]

## A BILL TO AMEND CERTAIN ACTS IN RELATION TO DNA IDENTIFICATION

### FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-18, to amend certain Acts in relation to DNA identification.

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—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-277, to amend the Criminal Code (luring a child).

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.

• (1410)

## OFFICIAL DEVELOPMENT ASSISTANCE ACCOUNTABILITY BILL

### FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-293, respecting the provision of official development assistance abroad, to which they desire the concurrence of the Senate.

Bill read first time.

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

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

## THE SENATE

### NOTICE OF MOTION URGING GOVERNMENT TO ENGAGE IN FREE TRADE NEGOTIATIONS WITH EUROPEAN UNION

**Hon. Hugh Segal:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate call upon the Government of Canada to engage in negotiations with the European Union towards a free trade agreement, in order to encourage investment and free movement of people and capital.

### NOTICE OF MOTION URGING GOVERNMENT TO TAKE LEADING ROLE IN REINVIGORATING NUCLEAR DISARMAMENT

**Hon. Roméo Antonius Dallaire:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate call on the Government of Canada to take a leading role in the reinvigoration of the urgent matter of nuclear disarmament in accordance with the *Nuclear Nonproliferation Treaty* at the Preparatory Committee Meetings scheduled to convene April 30 to May 11, 2007 in Vienna which act as a prelude to the next Treaty Review Conference in 2010; and

That the Senate urge the Government of Canada to take a global leadership role in the campaign of eradicating the dire threat to humanity posed by nuclear weapons.

## UNITED KINGDOM SLAVE TRADE ACT

### NOTICE OF INQUIRY

**Hon. Anne C. Cools:** Honourable senators, pursuant to rule 56(1), (2) and 57(2) of the *Rules of the Senate*, I give notice that, two days hence, I will call the attention of the Senate to:

- (a) March 25th, 2007, being the two hundredth anniversary of the abolition of the slave trade in the British Empire by *An Act for the Abolition of the Slave Trade*, an act of the U.K. Parliament, assented to by King George III on March 25, 1807; and
- (b) to slavery and the slave trade in African peoples by Europeans from the 1500s to the 1800s, and to the law of estate in human life, to property and ownership in human beings, and to the trade and commerce in human beings as commodities, slaves, bought and sold in the marketplace; and
- (c) to the transportation across the Atlantic Ocean of about 12 million Africans, packed as cargo in slaving ships, in that terrible journey named the Middle Passage, from Africa to the shores of the Americas and the West Indies, for the deployment of these slaves on the plantations of the New World, generating previously unknown wealth and prosperity; and
- (d) to William Wilberforce and to his unceasing labours as a Member of Parliament in the British House of Commons from 1780 to 1825, and to his leadership of the campaign in the Houses of Parliament for the abolition of the slave trade and slavery, and to his belief as a devout Christian and evangelical Anglican that his life's labours for the amelioration of the lives of the African slaves was his pilgrimage, his own journey; and
- (e) to Thomas Clarkson, the father of abolition, who inspired Wilberforce, and to John Wesley, the founder of the Methodist Church, and to all those other Christians — Anglicans, Quakers and Methodists, and to the black African abolitionists, who led and sustained a national and international movement carrying public opinion for the abolition of the slave trade and slavery,

and to their testament to the human spirit to overcome man's inhumanity to man; and

- (f) to William Wilberforce's influence on my life personally as a child in Barbados, in the British West Indies in the British Empire, that island where the concept called the plantation was created, as also was its ancient House of Assembly, the second oldest legislature outside of the U.K., and all this when sugar was king; and
- (g) to the indebtedness and the gratitude of the whole world, particularly the black world, to these abolitionists who by dint of their personal courage, fortitude and perseverance were able to end a terrible centuries-old villainy and change the course of human history.

• (1415)

## ABOLITION OF SLAVERY IN BRITISH EMPIRE

### NOTICE OF INQUIRY

**Hon. Anne C. Cools:** Honourable senators, pursuant to rule 56(1), (2) and 57(2) of the *Rules of the Senate*, I give notice that in two days hence, I will call the attention of the Senate to:

- (a) March 25th, 2007, the two hundredth anniversary of the abolition of the slave trade in the British Empire, and in the British North American Provinces, particularly the two Canadas; and
- (b) to John Graves Simcoe, the first Lieutenant-Governor of Upper Canada, who had served briefly as a member in the British House of Commons with William Wilberforce, and who by 1790, even before arriving in Upper Canada, had expressed his opposition to slavery; and
- (c) to Lieutenant-Governor John Grave Simcoe's efforts, and his Bill in 1793 for the gradual abolition of slavery in Upper Canada by barring the further introduction of slaves, a Bill which represented the first legislative initiative against slavery in the British Empire; and
- (d) to John White, the Attorney-General of Upper Canada under Lieutenant-Governor Simcoe, who had practiced law in Jamaica, the British West Indies, and who having known slavery and the law of slavery, introduced this Bill in the House of Assembly; and
- (e) to the abolitionist movement in Upper Canada.

## BUDGET 2007

### HEALTH AND SOCIAL TRANSFERS— NOTICE OF INQUIRY

**Hon. Wilfred P. Moore:** Honourable senators, pursuant to rule 57(2), I hereby give notice that on Wednesday, April 18, 2007, I shall call the attention of the Senate to the matters of the Canada Social Transfer and the Canada Health Transfer contained in the Harper budget tabled March 19, 2007.

## QUESTION PERIOD

### INTERGOVERNMENTAL AFFAIRS

#### HARMONY WITH PROVINCES

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** Honourable senators, as I scanned the newspapers this week, reading about one province that wants to take the federal government to court and about another one taking out full-page ads denouncing the broken promises of the budget, I was reminded of something the finance minister said only last week, when addressing the other place:

The long, tiring, unproductive era of bickering between the provincial and federal governments is over.

Can the Leader of the Government in the Senate tell us, in view of what the Premiers of Newfoundland and Labrador, Nova Scotia, New Brunswick, Saskatchewan and British Columbia are saying, how this government can claim that they have established harmony among the provinces and the federal government?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** As the honourable senator knows, on the whole question of fiscal balance, the Minister of Finance followed the recommendations of the O'Brien committee, which was set up prior to our coming into government.

With regard to the statements by the Premier of Newfoundland and Labrador, these statements are false. People who have looked at these agreements know they are false.

**Senator Mercer:** He lied to the people.

**Senator LeBreton:** The agreements with Newfoundland and Labrador are exactly as they were before the budget was tabled and they are exactly the same afterwards.

### FINANCE

#### EQUALIZATION PAYMENTS

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** Honourable senators, I will be more specific. This Conservative government had committed to fulfilling, in its entirety, the Atlantic accord, signed in 2005 with the provinces of Newfoundland and Labrador and Nova Scotia. However, the introduction of the fiscal cap effectively eliminates the clawback protections in the accord. Therefore, how can this government continue to say — and I quote the Minister of Finance — “We are keeping our commitments on equalization”?

• (1420)

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, the government kept its commitment to Newfoundland and Labrador. The province is getting 100 per cent of what it was promised in the accord, without a cap, and those, in my books, are promises made and promises kept.

**Senator Rompkey:** But you are clawing back.

## TREASURY BOARD

### FEDERAL ACCOUNTABILITY ACT— IMPLEMENTATION

**Hon. Joseph A. Day:** Honourable senators, my question is for the Leader of the Government in the Senate. On a weekly basis, Canadian newspapers have been reporting a lack of action on accountability by the Conservative government. As examples, I would like to mention three reports from this week alone which are cause for great concern.

The NDP announced that they want an audit of all Conservative government public appointments in light of a police investigation into the claims of a potential criminal patronage offer by senior Conservative John Reynolds.

The *National Post* reported rumours and speculation about what types of communication between lobbyists and public office-holders will be reported under the new Lobbyists Registration Act while the government conducts a consultation but does not implement the Lobbyists Registration Act, a consultation long after the act was in fact passed. I would have thought that the consultation might have been before the legislation was passed.

The *Ottawa Citizen* reported that Parliament and the executive cannot agree on the proper interpretation of the Federal Accountability Act as it relates to deputy ministers acting as accounting officers.

All of these concerns were thoroughly canvassed by this chamber and by the committee of this chamber that looked into Bill C-2.

Can the Leader of the Government in the Senate inform us if the work and advice of this chamber following its study of Bill C-2 are being taken into consideration? If so, why, 108 days since Royal Assent was received with respect to Bill C-2, is this government still trying to understand the impacts of its legislation?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, in part of my honourable friend's question, he has already answered the question "rumours and speculation."

With regard to the situation in the city of Ottawa on the issue of a certain individual making allegations, the fact is that those allegations are totally unfounded.

Honourable senators, Senator Downe, Senator Munson, Senator Segal and I, having worked in the Prime Minister's Office, can attest vigorously that we were lobbied constantly by people who wanted appointments to this or that or anything else. The fact is that appointments are made by the cabinet on the recommendation of the ministers responsible and the Prime Minister. We have brought forward a vigorous appointments process whereby appointees are properly vetted. We have produced some outstanding appointees, an example being our colleague from the other side, Senator Kirby.

No government, whether Conservative or Liberal, can answer for people approaching any one of us, at any time, suggesting that

they be given an appointment. Honourable senators know that as well as I do. I am sure that Senator Downe is nodding his head in agreement.

With regard to the recommendations on the Federal Accountability Act, as I reported on a previous occasion, regulations are being developed and working their way through the process to implement the Federal Accountability Act.

In answer to the honourable senator's specific question, the President of the Treasury Board has, of course, taken note and is considering all good advice he receives, including advice from the Senate committee.

## PRIVY COUNCIL OFFICE

### APPOINTMENTS PROCESS

**Hon. Joseph A. Day:** Honourable senators, with respect to Bill C-2, the Federal Accountability Act, and the public appointments commissioner, a position which has not yet been implemented, my next question relates to the point to which the honourable senator has alluded, as did I in my first question.

• (1425)

The Ontario Provincial Police have launched an investigation into a sworn affidavit, which is backed up by a polygraph test, a lie detector test, wherein Mr. Terry Kilrea, a candidate for mayor in Ottawa in the last election, alleged he was being offered a position in government to withdraw from running. According to reports in the media, Mr. Kilrea stated:

Before I turned down the offer, (O'Brien) told me that the Parole Board was a five-year appointment at \$110,000 a year.

So, I mean, pretty tempting for a guy who's making \$60,000 to \$110,000 for a five-year appointment - and cash to boot, in the offer.

Mr. John Reynolds, co-chair of the 2006 Conservative election campaign, a former Conservative MP, interim party leader and currently a lobbyist who meets regularly with the Prime Minister, is quoted as saying that he saw nothing sinister in this arrangement.

**Senator Mercer:** That is arm's length.

**Senator Day:** He said he would be happy to put Mr. Kilrea's name forward for a Parole Board appointment because not many people want that job anyway.

My question to the Leader of the Government in the Senate is this: Can the minister assure this chamber that, while the government fiddles with respect to the creation of a public appointments commission, the previous government's objective in arm's length processes for appointments to various boards are being followed for the many appointments that are currently taking place?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, the honourable senator simply read a newspaper article. He also mentioned "a sworn affidavit." I know of no other way to make an affidavit than for it to be sworn. He is supposed to be a lawyer; I am not.

In this case, this is a dispute in a municipal election between two individuals. As I stated in my previous answer, people can lobby anyone they want about getting an appointment. The appointments process is a very vigorous process. Candidates are screened and interviewed and it is determined whether they are qualified for the position. Ultimately, the decision on any appointment is the responsibility of the minister concerned and the cabinet. All of this unproven speculation is rather unnecessary to discuss at this point in time. In any event, even if anyone did look in the appointments book, that document is available to the public. It is not hard to figure out how long the appointment is or how much they pay.

Senator Downe, I am sure, will back me up on this. When I was looking after appointments for Prime Minister Mulroney, I had people call me up and say, "I talked to the minister of X, and he said it would be okay if I had such and such an appointment," because that person would have run into a minister at a cocktail party or something. I would reply, "I do not care what Minister X said. This appointment will go through the proper process, so get lost."

#### PRIME MINISTER'S OFFICE

##### APPOINTMENTS TO PRIVY COUNCIL AND SENATE FOLLOWING ELECTION

**Hon. Percy Downe:** Honourable senators, I am sorry that I missed the response; I was chatting with someone else. However, I do have a question for the Leader of the Government in the Senate.

Does the leader share the disappointment of many Canadians that the first action of the new Prime Minister was to appoint his two co-chairs — that is, John Reynolds, to the Privy Council; and Mr. Fortier, from Quebec, as a senator?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** No more offended than I was that Prime Minister Mulroney named me to the Senate, or that Prime Minister Jean Chrétien named you to the Senate.

• (1430)

**Senator Downe:** Honourable senators, I have a supplementary question for the Leader of the Government. How does that answer square with the Prime Minister's commitment prior to the election on how he would make appointments, when immediately after the election his first act was to announce those two appointments?

**Senator LeBreton:** Honourable senators, for the record and to be absolutely clear, Senator Fortier never lobbied for his appointment.

**Senator Fortier:** I am trying to get out.

**Senator LeBreton:** As honourable senators know, Prime Minister Harper appointed Senator Fortier as Minister of Public Works to represent the city of Montreal around the cabinet table. The Prime Minister viewed the appointment of John Reynolds to the Privy Council as an acknowledgement of Mr. Reynolds' long service in public life, just as the Prime Minister was happy to recommend Honourable Senator Daniel Hays to the Privy Council for his good work.

#### HERITAGE

##### CANADIAN BROADCASTING CORPORATION— APPOINTMENT OF CHAIR OF BOARD OF DIRECTORS

**Hon. James S. Cowan:** Honourable senators, my question is for the Leader of the Government in the Senate, as well. The distaste of this government for the CBC is well-known and well documented. Nonetheless, this important national institution has been without a permanent board chair for many months. Is there a connection between the failure to fill this post and the statement on Tuesday by the Parliamentary Secretary to the President of Treasury Board before the Operations Committee in the other place to the effect that the government will not appoint people who do not agree with its agenda? Is it possible that the government cannot find any qualified person who agrees with the government's agenda, which is designed to gut the CBC, and who is prepared to take the position of chair of the CBC board?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, the government and the minister responsible, the Honourable Bev Oda, Minister of Canadian Heritage and Status of Women, are actively seeking a person to fill this position. When Minister Oda finds a qualified person interested in furthering the valid goals of the CBC I am sure she will make an announcement.

Many qualified people have been named to various positions. They are not denied appointments if they happen to support another political party. Of course, the obvious example is the Honourable Michael Kirby.

**Senator Cowan:** Is it true that the primary qualification sought is an agreement to support the government's agenda?

**Senator LeBreton:** Honourable senators, this is not the issue. Rather, the issue for all agencies and boards is finding the best person available who is willing to take on the job. Minister Oda is actively consulting with various stakeholders, including supporters of CBC/Radio-Canada. I am sure that when this person is presented, the appointment will be widely applauded.

#### BUDGET 2007

##### PROPORTION OF GROSS DOMESTIC PRODUCT ALLOCATED TO FOREIGN AID

**Hon. Sharon Carstairs:** Honourable senators, my question is directed to the Leader of the Government in the Senate. Canada is a most fortunate and wealthy country. In his Budget 2007 speech, the Honourable James Flaherty, Minister of Finance, repeatedly made a number of references to our great country and in that one lone sentence throughout the budget, I fully concur.

• (1435)

Honourable senators, as a fortunate country we have a responsibility to those countries — and more particularly to the people of those countries — that need our help and support. Can the Leader of the Government in the Senate explain why, in a budget with massive new spending, \$10 billion, we once again have failed to make strides towards devoting an increased proportion of our GDP to international aid?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** I thank the honourable senator for that question. In the last budget, the government made a substantial contribution to foreign aid. I will take the question as notice because there is a long list of activities and money spent on foreign aid, including the Prime Minister's announcement with regard to Afghanistan, the announcements made with regard to CIDA and the Prime Minister's announcement with Bill Gates on dealing with the terrible tragedy of AIDS.

**Senator Carstairs:** Honourable senators, the minister is quite right in that she said some money had been put aside in 2006-07 for international aid. However, in the document entitled *Budget 2007 — Aspire to a Stronger, Safer, Better Canada*, the budget in brief document, there is a glaring zero on international aid for 2007-08 and 2008-09. Can the government leader in the Senate explain why there are zero amounts in those two areas when there are no other zero amounts under any other category?

**Senator LeBreton:** Honourable senators, as I said in my last answer, the government is expending a considerable amount of money in various countries around the world and on various foreign aid projects. Again, I will be happy to provide the honourable senator with a list.

**Senator Carstairs:** Honourable senators, it is clear that we spend money on foreign aid. We give money through CIDA. The question that I am asking is why is there no new money in a budget that is spending \$10 billion?

**Senator LeBreton:** Honourable senators, I am quite certain that when the budget documents were being drawn up, the people who prepared them and made representations to the Minister of Finance from the various departments satisfied themselves that monies were being properly expended, but if the honourable senator wants an answer as to why it was not specifically written into the budget, I will attempt to provide an answer for the senator.

## JUSTICE

### RIGHT HONOURABLE BRIAN MULRONEY— CASE OF ALLEGED BRIBES AND KICKBACKS

**Hon. Terry M. Mercer:** Honourable senators, I have asked a series of question similar to this before. *The Globe and Mail* published a story not long ago about \$300,000 that former Prime Minister Brian Mulroney supposedly received from German businessman, Karlheinz Schreiber. According to the CBC's *The Fifth Estate*, Mr. Edward Greenspon explains in a column that Mr. Mulroney called him before the payment story ran and asked him not to publish what he characterized as an unsubstantiated assertion that would perpetuate false accusations. Mr. Mulroney

also told William Kaplan, lawyer and author of *A Secret Trial*, that his dealings were clean. Mr. Mulroney stated:

I can also tell you that I have declared every cent that I have ever received and I have paid all income tax on all monies owing.

My affairs have been above board and proper, and I am not concerned about any of the legal implications whatsoever.

Will the Leader of the Government in the Senate simply agree that Mr. Mulroney did receive payments from Mr. Schreiber since the former Prime Minister has obviously said that he did accept something from Mr. Schreiber?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** The honourable senator answered the question when he quoted Mr. Mulroney, which is an accurate statement.

**Senator Mercer:** Honourable senators, in 1997, Mr. Mulroney settled a defamation suit against the government in the amount of \$2.1 million over allegations that he had received kickbacks for the sale of Airbus aircraft to Air Canada in the 1980s.

• (1440)

Immediately after the 1997 settlement, Chuck Strahl, now the Minister of Agriculture in Stephen Harper's government, called for a parliamentary committee to investigate the affair in order to examine the conduct of the RCMP and the Liberal Party of Canada.

In 1998, Peter MacKay, who is now the Minister of Foreign Affairs and not a very good representative of Nova Scotia, rose in the House of Commons asking when Jean Chrétien's government, a Liberal government, would "clear the air on this sordid affair" by calling such an inquiry.

In 2004, William Kaplan, in his book *A Secret Trial*, began to cast more doubt over the relationship between Mr. Schreiber and Mr. Mulroney.

In February 2006, Mr. Schreiber appeared on the CBC program *The Fifth Estate* and described allegations that Mr. Mulroney accepted cash that had been withdrawn from Swiss bank accounts linked to the Airbus affair.

In February and June 2006, the Montreal *Gazette* published editorials questioning these very events.

In February 2006, according to a January 2007 article in *The Globe and Mail*, the Department of Justice of Canada's new government, this government, explored the possibility of setting aside the 1997 \$2.1 million settlement with Mr. Mulroney because of allegations that he indeed accepted \$300,000 in cash from Mr. Schreiber.

As late as last week, Mr. Schreiber himself said he would be eager to testify at an inquiry that some members of the current Conservative government demanded while still in opposition.

In light of this interesting timeline of events, can the Leader of the Government in the Senate please explain why every legitimate authority on this subject, from her own cabinet colleagues

to reputable media outlets, seem to be pursuing answers to unanswered questions when Canada's new government seems to have delayed a further investigation?

**Senator LeBreton:** Honourable senators, I will not even give my honourable friend the courtesy of thanking him for that question. Suffice to say that I would invite the senator to make those statements outside of this chamber because he has done some very selective reading. All of the articles he quoted from are very careful to state that there is no proof that any of this was connected to Airbus. Now it is rather curious, because the CBC, *The Fifth Estate* and *The Globe and Mail* were pursuing a story that this had been a gift to Mr. Mulroney. Now there is a new story that backs up what we have always said about these monies. Mr. Schreiber now wants Mr. Mulroney to return the money because of non-performance. So what is it? Was there a contract for performance or was it a gift?

The fact is that Mr. Mulroney has for many years never stated otherwise. After he left the office of the Prime Minister, Mr. Schreiber approached him to do some international business work. He has never denied that this has nothing to do with Airbus and the honourable senator knows it. I again invite him to make those very blasphemous and disrespectful statements outside this chamber. He knows what would happen to him if he were to do so.

**Senator Mercer:** Honourable senators, my honourable colleague seems to be quite silent on this matter outside this chamber as well.

Another interesting story is Mr. Mulroney's settlement of a defamation suit against Peter C. Newman for publication of *The Secret Mulroney Tapes* in June of 2006. I would assume since Mr. Mulroney was intent on clearing his name in the Airbus affair with the federal government and also with Mr. Newman, that Mr. Mulroney would be taking any and all steps to address the information from the first part of my question. The federal government, at the time, acted in good faith when it settled with Mr. Mulroney, believing the information that was available at the time. In light of new information, questions are now being asked again. It appears that Mr. Mulroney, who said he had no relationship with Mr. Schreiber, did have a relationship with him and accepted \$300,000. It seems quite simple. A further investigation should clear the air.

• (1445)

I would like to clear Mr. Mulroney's name. If he is innocent, let us celebrate that together. Let us put all the facts on the table. Why is Canada's "growing-old government," elected on a platform of anti-corruption and accountability, not investigating what appears to be corruption by one of its own? What are they so afraid of?

**Senator LeBreton:** Honourable senators, I already answered this question. The senator knows what he is saying is false. It is another attempt to attack a decent, honourable man like Mr. Mulroney.

**Hon. David Tkachuk:** Say it outside.

[ Senator Mercer ]

[Translation]

## ANSWER TO ORDER PAPER QUESTION TABLED

### INDUSTRY—CANADA RESEARCH CHAIR PROGRAM

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** tabled the answer to Question No. 25 on the Order Paper—by Senator Downe.

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour of presenting delayed answers to the following four questions: a question raised by Senator Grafstein on November 21, 2006, regarding income trusts; a question raised by Senator Mitchell on November 22, 2006, regarding income trusts; a question raised by Senator Hays on November 28, 2006, regarding income trusts; and a question raised by Senator Segal on November 28, 2006, regarding registered retirement savings plans.

## FINANCE

### INCOME TRUSTS—CHANGE IN TAX TREATMENT

(Response to question raised by Hon. Jeremiah S. Grafstein on November 21, 2006)

The Minister of Finance has remained clear that he has no intention of altering the substance of the Government's decision of October 31, 2006 — including the four-year transition period for existing trusts. The Tax Fairness Plan recognizes that select investors, including seniors, may have been affected by this decision. Accordingly, the government introduced four significant measures to protect investors:

- First, the plan provides a fair and reasonable four-year transition period before the new distribution tax will apply to existing income trusts.
- Second, the plan provides generous growth guidelines during this transition period.
- Third, the plan introduces pension income splitting for 2007. A significant development for seniors and pensioners, this measure is worth approximately \$700 million a year.
- Fourth, the plan increases the age credit amount from \$4,066 to \$5,066 effective January 1, 2006. This measure will provide tax relief for low- and middle-income seniors.

In total, the Tax Fairness Plan will deliver over \$1 billion annually in new tax relief for Canadians.

Extending the four-year transition period would only serve to extend tax unfairness for a longer period of time, and would have no benefit for investors who had sold their units following the announcement of the Government's decision.



Indeed, extending this period would create a greater financial burden on Canadian taxpayers. For instance, extending the transition period from 4 to 10 years would cost the federal treasury approximately \$3 billion. It would also significantly affect provincial treasuries — for example, Alberta would lose over \$2 billion and Quebec would lose hundreds of millions.

It is important to note that income trusts can continue to make distributions to their unitholders over the course of the next four years, before the distribution tax takes effect in 2011. At the end of that period, income trusts and corporations will be on a level playing field.

It is intended that conversions of an income trust to a corporation be allowed to take place without any tax consequences to investors on the conversion.

The Department of Finance has received a number of representations concerning the rules applying on the conversion of an income trust to a corporation, and is examining whether any impediments to conversion exist under the current income tax rules. If so, changes will be recommended to ensure that appropriate rules are in place to facilitate such conversions.

*(Response to question raised by Hon. Grant Mitchell on November 22, 2006)*

Prior to the Tax Fairness Plan's announcement on October 31st, 2006, Canada's New Government engaged in a lengthy review of the concerns surrounding income trusts. Due to the nature of the matter under consideration, the file demanded strict confidentiality. As was witnessed under the previous government, advance speculation and commentary regarding income trusts created uncertainty and confusion for investors. Nevertheless, the Minister of Finance was consistent during that period, stating he was monitoring the income trust market and he was concerned about emerging developments.

Rest assured that issues relating to income trusts were covered extensively during the consultations held last year and in commentary since then. In addition, the Minister of Finance received widespread representations from his provincial colleagues and business leaders urging certainty in this area.

Canada's New Government tackled a difficult issue in a decisive manner to protect Canada's long-term economic interests — remaining clear and consistent about the decision since. This stands in stark contrast to the previous government, which failed to take the necessary action to resolve this matter.

#### INCOME TRUSTS—CHANGE IN TAX TREATMENT—INCOME SPLITTING PROPOSAL

*(Response to question raised by Hon. Daniel Hays on November 28, 2006)*

The Minister of Finance has remained clear that he has no intention of altering the substance of the government's decision of October 31st, 2006 — including the four-year

transition period for existing trusts. The Tax Fairness Plan recognizes that select investors, including seniors, may have been affected by this decision. Accordingly, the government introduced four significant measures to protect investors:

- First, the plan provides a fair and reasonable four-year transition period before the new distribution tax will apply to existing income trusts.
- Second, the plan provides generous growth guidelines during this transition period.
- Third, the plan introduces pension income splitting for 2007. A significant development for seniors and pensioners, this measure is worth approximately \$700 million a year.
- Fourth, the plan increases the age credit amount from \$4,066 to \$5,066 effective January 1, 2006. This measure will provide tax relief for low- and middle-income seniors.

In total, the Tax Fairness Plan will deliver over \$1 billion annually in new tax relief for Canadians.

Extending the four-year transition period would only serve to extend tax unfairness for a longer period of time, and would have no benefit for investors who had sold their units following the announcement of the government's decision.

Indeed, extending this period would create a greater financial burden on Canadian taxpayers. For instance, extending the transition period from four to ten years would cost the federal treasury approximately \$3 billion. It would also significantly affect provincial treasuries — for example, Alberta would lose over \$2 billion and Quebec would lose hundreds of millions.

It is important to note that income trusts can continue to make distributions to their unitholders over the course of the next four years, before the distribution tax takes effect in 2011. At the end of that period, income trusts and corporations will be on a level playing field.

The Department of Finance has provided further guidance on 'normal growth' in respect of the tax measures regarding income trusts and other flow-through entities. The department's guidance was prepared following consultations with publicly traded trusts and partnerships, and based on its observations as to the range of growth arising in the normal course of business. These rules are fair and flexible.

Canadians have a reasonable expectation that all sectors of the economy will shoulder an equitable and appropriate portion of the taxation burden. The measures proposed in the Tax Fairness Plan provide a level playing field for different business structures — including the energy sector. The proposed REIT exception recognizes an emerging international standard that makes it easier for small-scale investors to participate in the real estate sector.

REGISTERED RETIREMENT SAVINGS PLANS—  
TAX TREATMENT

[English]

(Response to question raised by Hon. Hugh Segal on November 28, 2006)

Registered Retirement Savings Plans (RRSPs) and Registered Pension Plans (RPPs) help Canadians save for their retirement by providing a deferral of tax on these savings.

Contributions to these plans are deducted from income, and investment income is not taxed as it is earned. It is therefore appropriate that these savings be included in the taxpayer's income when they are withdrawn and that regular income tax be paid.

This tax treatment generally allows Canadians to earn the pre-tax rate of return on these savings. It prevents savings from being subject to personal income tax twice — once when the income is earned and again when the investment income is earned on the savings.

If income received by seniors from Registered Retirement Income Funds (RRIFs) received the same treatment as capital gains — that is, if only one-half of these amounts were included in the taxpayer's income — the tax system would go well beyond ensuring that Canadians were able to save for retirement on a tax-efficient basis.

There would also be significant pressure to extend the same tax treatment to RPP and RRSP income. As a result, the revenue cost of such a measure would be quite substantial.

Budget 2007 will provide about \$1.2 billion in new tax relief annually for Canadian seniors and pensioners by:

- Enacting the Tax Fairness Plan, which significantly increases the age credit amount and allows pension income splitting.
- Increasing the age limit for maturing RPPs and RRSPs to 71 from 69.

This builds on the \$20 billion of tax reductions provided for individuals in Budget 2006, including the doubling of the maximum pension income amount to \$2,000.

NATIONAL DEFENCE ACT  
CRIMINAL CODE  
SEX OFFENDER INFORMATION REGISTRATION ACT  
CRIMINAL RECORDS ACT

BILL TO AMEND—MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-3, to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act, and acquainting the Senate that they have passed this bill without amendment.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, pursuant to an order earlier this day, we ask that Bill C-37 be the first order of business.

BILL TO AMEND THE LAW GOVERNING  
FINANCIAL INSTITUTIONS

THIRD READING

**Hon. W. David Angus** moved third reading of Bill C-37, to amend the law governing financial institutions and to provide for related and consequential matters.

**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.

BUDGET 2007

INQUIRY—DEBATE ADJOURNED

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors))** rose pursuant to notice of March 27, 2007, by Senator Comeau:

That he will call the attention of the Senate to the Budget, entitled *Aspire to a Stronger, Safer, Better Canada*, tabled in the House of Commons on March 19, 2007 by the Honourable James M. Flaherty, P.C., M.P., Minister of Finance, and in the Senate on March 20, 2007.

She said: Honourable senators, I rise to draw the attention of the Senate to the budget entitled *Aspire to a Stronger, Safer, Better Canada*, tabled in the House of Commons on March 19, 2007, by the Honourable James M. Flaherty, Minister of Finance, and in the Senate on March 20, 2007.

The Minister of Finance is to be congratulated for tabling a budget that is balanced, while moving to restore the fiscal balance that cuts taxes for working families, reduces the national debt and invests in key priorities such as health and environmental protection.

I was particularly pleased, honourable senators, with the several measures in the budget that will benefit seniors. First, there is the additional funding and expanded mandate for New Horizons, a program that provides seniors with opportunities to share their life experiences, benefiting both the young and the old.

The budget puts forth a further \$10 million per year into the New Horizons program, bringing it is annual budget to \$35 million. It will now help to pay for capital costs such as community buildings and equipment, and for initiatives to combat elder abuse and fraud directed at senior citizens.

Second, the budget confirmed that the tax fairness plan will deliver \$1 billion of tax savings by increasing the age amount by \$1,000 to \$5,066, and through pension income splitting.

The increase in the age amount represents a tax saving of up to \$155 per senior.

• (1450)

Third, the budget raises the deadline for maturing RRSPs and pension plans to age 71 from age 69, strengthening incentives for older Canadians to work and save.

Fourth, the budget will help older workers to stay in the labour market by permitting phased retirement for pension plan members. Workers will be able to draw up to 60 per cent of their pension while continuing to work and to accrue additional pension benefits.

Finally, the budget expands the list of assets eligible for RRSP and pension plan investments to include most investment grade debt and publicly listed securities, thus providing greater investment choice. Examples include Canadian dollar bonds issued by foreign entities, and foreign listed trusts and partnership units.

While not specifically directed at seniors or the retirement savings system, there are several other measures in the budget of interest to seniors. As is the case with many senior couples, only one partner has a taxable income, while the other partner has little or no income beyond the basic OAS. The budget increases the basic spousal amount by \$1,348 to \$8,929, ending the so-called marriage penalty. This means it will be the same amount as the basic personal amount. It represents a reduction of up to \$209 this year and a total savings for Canadian families of \$270 million per year. This will benefit not only many senior couples, but also families where only one partner remains in the home and, significantly, single parents who can claim the amount for one of their children.

For many Canadians, their farm, small business or fishing operation is their pension plan. The budget increases the lifetime capital gains exemption for farms, small business operators and fishers to \$750,000 from the current \$500,000. This will provide \$85 million of tax relief in the coming year alone.

Budget 2007 creates a fund that will contribute to the cost of making facilities such as community centres and grocery stores more accessible to persons with disabilities. It will fund such things as access ramps and abilities centres. The Enabling Accessibility Fund will be provided with \$45 million over three years.

On the issue of health care, the budget funds the creation of the Canadian Mental Health Commission as the focal point for addressing mental health issues, providing \$10 million over the next two years and \$15 million in subsequent years. The structure and role of this commission will be based on the

recommendations of the Standing Senate Committee on Social Affairs, Science and Technology in its May 2006 report entitled *Out of the Shadows at Last*. It is particularly gratifying that former Senator Michael Kirby has agreed to head this commission. There could not be a more qualified person to lead the charge.

This budget will improve health care by investing \$400 million for the Canada Health Infoway to support the development of electronic health records and up to \$612 million to support jurisdictions that have made commitments to implement patient wait time guarantees and by providing the provinces with \$300 million for a vaccine to prevent cancer of the cervix.

On the issue of fiscal balance, honourable senators, there are several things that differentiate our new government from the one we replaced. One of these is the recognition that there is a fiscal imbalance between the federal and provincial governments. The budget will restore fiscal balance through a seven-year, \$39-billion plan that puts federal support for provinces and territories on a long-term, predictable and principle-based footing for the future. Funding and transfers to provinces will increase this year and each and every year into the future. Our Constitution gives the provinces responsibility for roads, bridges, public transit, universities and colleges, job training and clean water. The extra funding provided through the budget will assist them to provide the services and infrastructure that matter most to Canadians while helping them to compete with the best in the world.

Honourable senators, it is an unfortunate reality that many people are better off on social assistance than working in the paid job market. If they get a job, a significant part of every dollar earned is lost to taxes and cuts to benefits. To help some 60,000 people climb over that welfare wall, we will set up a working income tax benefit, or WITB. Minister Flaherty likes that acronym, as you can understand. This will also encourage 1.2 million low-income working Canadians to stay in the workforce. Through the WITB, we will provide an additional supplement for low-income working Canadians with disabilities, who face even tougher barriers getting into the workforce.

To provide further tax relief for working families, Budget 2007 will establish the working families tax plan, which will include a new \$2,000 per child tax credit. This will help some 3 million taxpayers, taking 180,000 low-income Canadians off the tax rolls and slashing taxes on families by half a billion dollars per year.

Parents and grandparents of severely disabled children are faced with the dilemma as to how to ensure their children or grandchildren's financial security when they are no longer able to support them. This budget will direct \$140 million over two years to establish a registered disability savings plan that will work in the same way as a registered education savings plan.

To help Canadians save for their children's education, we have strengthened the Registered Education Savings Plan by increasing the lifetime contribution limit to \$50,000 and raising the maximum annual Canada Education Savings Grant to \$500.

On the subject of education and research, to succeed in today's competitive global economy we need the best educated, most skilled and most flexible workforce in the world. This budget helps to build that workforce. We will invest over \$1.3 billion in

new money for science and technology research. This includes \$350 million over three years in leading centres of commercialization and research excellence, \$85 million a year to be directed through the federal granting councils, and \$15 million a year to support the additional research that will be conducted in institutions resulting from the new resources provided by the granting councils. On this front, I must pay tribute to our colleague, Senator Keon, who has worked very hard to have measures such as these included in the budget.

This government will dramatically increase financial support to our colleges and universities. Beginning in 2008-09, we will invest an additional \$800 million a year to help the provinces and territories improve post-secondary education. This budget directs new funds to skills training, one of my pet projects. The result will be that any Canadian who needs it should be able to get training.

We will provide the greatest number of scholarships ever granted to our graduate students through the Canada graduate scholarships program. To recognize the outstanding contributions of Canadians who have made a real and lasting impact on our lives, we plan to dedicate prestigious scholarships to the memory of Sir Frederick Banting and Dr. Charles Best, Alexander Graham Bell and Joseph-Armand Bombardier. Is this not a nice change from naming it after some politician? These measures will help create the next generation of leaders who will make us proud, make Canada strong and make the world a better place through their achievements.

Honourable senators, job creation in Canada has been strong. Unemployment is at lowest level in 30 years, yet our manufacturing sector has been struggling, forced to weather what economists call "the perfect storm" of a high dollar, low-cost international competition and an economic slowdown in the United States, our largest customer. The budget will support our manufacturers through a dramatic new capital cost allowance incentive. We will allow them to completely write off their new investments in equipment over a two-year period, helping and encouraging them to invest in new technology and better compete on the world stage.

Improving our capital cost allowance system also means striking the right balance. For the oil sands, we were phasing in an accelerated capital cost allowance to promote promising new technologies like carbon capture and storage. It follows that we are balancing this by phasing out the current accelerated capital cost allowance for general investment in the oil sands by the year 2015. Our government believes in tax fairness, which also means paying your fair share, no matter where your company is registered or where you choose to locate your head office.

We are taking the tax fairness plan of our latest budget a step further, providing the Canada Revenue Agency the funding it needs to detect tax avoidance through offshore tax havens and to ensure that every company pays its fair share of tax. The free ride is over. Everyone will pay their fair share.

• (1500)

The important subject of agriculture is another area in which, as you have heard me say many times, I have a great interest because I was raised on a farm. This government places a very high value on Canada's farmers. In this regard, I must pay tribute to our colleague Senator Gustafson who I do not think ever attends a

caucus or a meeting where he can be heard that he does not make sure we understand the plight of our farmers. Thank you, Senator Gustafson.

Budget 2006 contained \$3.5 billion over five years for the farm sector. Budget 2007 builds upon this commitment, providing an additional \$1 billion targeted to enhance national farm income programs, and \$400 million of this will go to farmers to help address rising costs of production over the last four years. The remaining \$600 million will help create new, contributory-style, producer savings accounts once agreements are reached with the provinces and territories.

On the environment, honourable senators, this government wants to ensure a cleaner, healthier environment that improves the quality of life for Canadians. As part of this commitment, the budget reinforces actions that have already been taken to improve our air quality and help address climate change. \$1.5 billion is provided for Canada Ecotrust for clean air and climate change. This will support major projects as identified by the provinces and the territories, which will reduce greenhouse gas emissions and air pollutants.

Furthermore, this budget introduces rebates on fuel-efficient vehicles and efficient, alternative fuel vehicles. It also contains an incentive to help get over-polluting cars off the road, as well as a new green levy on fuel-inefficient vehicles.

The budget includes investments for a national water strategy. This money will be directed towards improving the water we drink, cleaning polluted waters and ensuring sustainability of our fish resources. It will also be used to help maintain water levels in the Great Lakes and address water quality issues in the Lake Winnipeg basin, as Senator Stratton and Senator Johnson are always reminding us that we must do.

In addition, the budget contains investments targeted to conserve ecologically sensitive land by providing \$225 million for the Nature Conservancy of Canada.

Honourable senators, after paying down \$13 billion on Canada's national debt last September, budget 2007 further reduces the debt by \$9.2 billion. Under our government, less debt means lower interest payments, which means lower taxes. Through the government's tax-back guarantee, the interest savings on this year's debt repayment will be returned to Canadians in the form of further tax cuts. Put another way, every dollar saved from lower interest payments will be returned to Canadians through personal income tax reductions.

Since forming the government on February 6, 2006, only 416 days ago, Canada's new government has provided significant tax relief to Canadians, including reducing the GST to 6 per cent, tax credits for transit passes and children's fitness programs and much needed assistance for seniors, students, apprentices and children with severe disabilities.

What does all this mean for Canadians? Federal taxes paid by a single parent earning \$30,000 with one child are reduced by 69 per cent. For a one-earner family earning \$30,000 with two children, the tax reduction is 93 per cent. For a two-earner family with a combined income of \$40,000, the tax reduction is

92 per cent. If their combined income is \$60,000, their reduction is 25 per cent. A single senior earning \$20,000 will see a 62 per cent reduction in federal taxes. A two-earner senior couple earning \$40,000 will see a 40 per cent reduction in federal taxes.

The tax relief announced to date is a good start, but our government firmly believes that Canadians still pay too much tax, and more will be done to reduce taxes in the years ahead. Lower taxes mean a higher quality of life for Canadians.

Honourable senators, I have touched on several aspects of the budget, and there are, of course, others such as the Canada First defence plan, measures to assist veterans and their families, measures to keep Canadians secure, the investment tax credit for child care spaces and the GST rebates for tour packages.

Honourable senators, with this budget, the new government, led by Prime Minister Stephen Harper and supported by his Minister of Finance, Jim Flaherty, will continue to provide strong leadership to build a stronger, safer, better Canada that gets things done for families and taxpayers. The budget and the legislation to follow deserve our support.

**Hon. Catherine S. Callbeck:** I wonder if the leader will take a question. I did not hear her mention housing in her speech. In my province, Central Mortgage and Housing delivers a program for essential repairs for low-income people if they need to get their roof shingled, for example. It is an excellent program. The only problem is that it has a seven-and-a-half year waiting list. My question is, why did her government not put more money into housing?

**Senator LeBreton:** I thank the honourable senator for the question. There was a component, and I just do not have it here with me at the moment, in terms of the money put in. It was done through the Department of Human Resources, I believe, on housing. As the honourable senator knows, many of the various initiatives in housing are also a provincial responsibility. However, I will simply take that question as notice. I do know there is a housing component, and I will be happy to dig it out and provide it to the honourable senator.

On motion of Senator Tardif, debate adjourned.

## KYOTO PROTOCOL IMPLEMENTATION BILL

### SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Trenholme Counsell, for the second 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 Comeau, that Bill C-288 be not now read a second time, but that the subject-matter thereof be concurrently referred to the Standing Senate Committee on Banking, Trade and Commerce and the Standing Senate Committee on Energy, the Environment and Natural Resources;

That the committees report back no later than December 31, 2007; and

That the Order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until such time as both committees have reported on the subject matter of the bill.—(Honourable Senator Comeau)

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

**Hon. Senators:** Question!

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

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** All those in favour of the motion will please say "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed to the motion will please say "nay."

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** Clearly, the "nays" have it and the motion in amendment is defeated. We are now on the main motion.

**Hon. Lowell Murray:** Honourable senators, I hope you will indulge me briefly if, in light of the interesting interventions of yesterday by Senator Mitchell and Senator Banks, and also of the comments and questions the day before by, among others, Senator Fraser and Senator Cools, I elaborate briefly on my speech of last Tuesday contending that this bill conflicts directly with the principle and practice of responsible government and introduces congressional law-making into our Westminster and Canadian parliamentary system.

• (1510)

The last thing on my mind would be to curtail private members' bills, as Senator Mitchell has suggested would be the effect of my position. I am trying to prevent, or at least persuade honourable senators to prevent, the creation of a precedent that, in my view, would be inimical to our system of government. Before I sit down, I hope I will have the time to speculate on what a bill like this could mean for the future, knowing as we all know how powerful precedent is in our parliamentary system.

Many private members' bills have passed into law and make a significant contribution to our economic, social and political life in this country.

Senator Fraser did us the service of mentioning the amendments initiated by Senator Gauthier in 2005 to Part VII of the Official Languages Act. I thank her for reminding us of that. I took the occasion after her speech to reread, and I have before me now, the Official Languages Act, pre-Senator Gauthier,

as it were, and the present act containing as it does the amendments that Senator Gauthier successfully proposed. I have compared this to Bill C-288.

I oversimplified matters when I said that the amendments simply, in effect, change the word “may” to the word “shall,” but I was not wrong in essence. I look at the previous version and the present version, post-Gauthier, and I find that while in the previous version and in the present version the Government of Canada, under section 41 is committed to enhancing the vitality of the minority linguistic communities and fostering the full recognition and use of both English and French in Canadian society, the previous version goes directly into article 42, obliging the Minister of Canadian Heritage in consultation with other ministers of the Crown to encourage and promote a coordinated approach to the implementation by federal institutions of the commitments set out in section 41.

As a result of what I will call the Gauthier amendments, we now have as subsection 41(2) the provision that “Every federal institution” — and this is the main difference — “has the duty to ensure that positive measures are taken for the implementation of the commitments under subsection (1).”

It then goes on to authorize the Governor-in-Council to “make regulations in respect of federal institutions, other than the Senate” and the various parliamentary institutions, “prescribing the manner in which any duties of those institutions under this Part are to be carried out.”

The rest of Part VII, as I read it, is identical in the previous and in the post-Gauthier versions.

My point here is to say that if the honourable senators or their friends in the other place had used the Gauthier amendments to Part VII as the model for Bill C-288, I would not be taking objection to this bill in the way I am. You could have required annual reports by the government on measures it was taking with regard to climate change, global warming or whatever, instead of dictating to the government the measures they must take and making those measures binding on Her Majesty in Right of Canada, which is what is being done under Bill C-288.

Let me pause for a moment to come back to Part VII of the Official Languages Act, because there are lessons here. I will give honourable senators a couple of examples that are fresh in our minds, at least those of us who are members of the Standing Senate Committee on Official Languages.

I give the example of the 2010 Winter Olympics in Vancouver and Whistler. This event would be bilingual in any case because English and French are the languages of the international Olympics, and because they are the official languages of Canada. However, there was always the opportunity to use that occasion to promote the vitality of the minority language community, notably in British Columbia.

As a result of the Gauthier amendments, there is not just opportunity, but an obligation on the part of all federal institutions to use events of that kind to promote the vitality of the English and French language communities.

An opportunity becomes an obligation, and the obligation reinforces the accountability dynamic between the government and Parliament. We now have a situation in which, as a result of

that obligation, at least one parliamentary committee, the Committee on Official Languages headed by our friend Senator Chaput, is bird-dogging the government and its federal institutions to ensure that they live up to their obligations. I do not know how many meetings we have had on this issue in our committee — closer to a dozen than half a dozen if we include all the witnesses we heard when we were in Vancouver. We have heard everybody from the minister, Mr. Emerson, to the mayor of Vancouver, to the president of the CBC, to the francophone organizations, to the people from the Vancouver Olympic Committee. We are holding them accountable for respecting the obligation to use that occasion to promote the vitality of the English and French language communities and to promote the use of English and French across the country.

I will give you two other examples, briefly. This past Monday, we discussed the transfer of certain federal institutions to various parts of the country. We had witnesses from the Department of Veterans Affairs in Charlottetown and from what used to be the Farm Credit Corporation — I am not sure what it is called now; it is Financement agricole Canada in French — which was transferred in 1992 to Regina. We had officials from the government and we had representatives from the Société Saint-Thomas d’Aquin, the organization representing Acadians and francophones in Prince Edward Island, and the Assemblée communautaire fransaskoise from Saskatchewan.

I have the testimony here, and it is extremely interesting. What they have told us is that the transfer of those institutions has had a tremendously beneficial effect on the French language minority communities in Charlottetown and throughout Prince Edward Island, as well as in Regina and Saskatchewan. As I said, I do not want to quote at length.

Mr. Keith Hillier, who is Assistant Deputy Minister of Veterans Affairs and who has long experience in that department and in Prince Edward Island, mentioned to us that the francophone community on the Island represents about 5 per cent of the total population. He says:

In terms of both actual numbers and ratios, it is just slightly higher today than it was before Veterans Affairs came to Charlottetown.

Then he adds this:

What has changed and changed quite dramatically over these three decades is the status and profile of the French language and culture in the province. I believe it is generally agreed that the arrival of the substantial federal presence, with its inherent need for staff fluent in both English and French, triggered a wave of change that has strengthened the minority language community in P.E.I. tremendously.

The people from the francophone Acadian organization endorse that view and elaborated on it strongly. We heard the same story from the people representing the francophones of Saskatchewan.

There are those who thought — and they continue to think — that what was done with the Gauthier amendments in making that section of the act “justiciable” is the most important thing. It is early days yet, but so far the gain has not been the fact that those obligations become justiciable. The gain has been political — the specific obligation on all institutions.

• (1520)

The government, as I understand it from what we have heard, is taking this very seriously, whether it is the Olympic Games in Vancouver or the activities of those departments in Saskatchewan or in Prince Edward Island. The government is taking it seriously, to the point where they seem to be doing what Senator Nancy Ruth wants to see more of in terms of equality of women — that is, gender analysis. In terms of the activities of the government, they are obviously passing them through some kind of a screen and applying some kind of criteria to ensure that in its policies and programs the government is living up to the obligation there.

This is what the Official Languages Act amendments have achieved and, at the same time, because there is now an obligation on government, there is an added instrument in the parliamentary tool kit in terms of keeping the government accountable and responsible.

Honourable senators, we cannot be unmindful that Bill C-288 is one of a series of bills that are before us. At the Senate Committee on National Finance, we have Bill S-215, authored by our former colleague Senator Austin, which would have the effect of reinstating tax measures from the 2005 Liberal budget of the Honourable Ralph Goodale. That will be the effect of Senator Austin's bill.

We have Bill C-292 to force the government to implement the provisions of the Kelowna accord. I believe it is fair to say that whether it is climate change or tax policy or Aboriginal policy, the government's policy is a work-in-progress. Parliament has not seen the measures that the government may bring forward on those matters. Do we take it upon ourselves to pre-empt those measures and force the government to implement the agenda of a previous government?

Fifteen months ago, I stood here and criticized the policy of the government in cancelling the child care agreements signed by the previous government with the provinces. I had the option, I suppose, or they had in the House of Commons, to vote against the alternative that the government brought forward. I was opposed to what they did on grounds of economic policy, social policy, and federal-provincial relations policy, but I do not believe it is open to me to bring in a bill to have Parliament force the government to reinstate those agreements with the flow of money and all the rest of it that was involved. That is not the role of Parliament, in my view, and it is certainly not our role in a system of parliamentary responsible government.

When I speak on Senator LeBreton's motion on equalization, I intend to state my dismay with what has been done with regard to Newfoundland and Labrador and Nova Scotia by putting on a cap that will, for the purposes of measuring fiscal capacity, include the offsets from the offshore agreements. I am opposed to that. However, I do not think it is open to me to bring in a bill to force the government to implement the recommendations brought in by the Senate Finance Committee on two occasions. It is an equalization program that I would prefer, but I do not think we can properly, under our system of government, force the government to make that commitment, including the commitment involved.

Senator Banks rather made my point to some extent yesterday when he cited a case in the United Kingdom in which the government passed a law. The government refused to respect part of that law. They were taken to court, and the courts found that

they were obliged to respect all of that law. That is a good point that Senator Banks raises because, in the early going, there were spokesmen for the government saying that perhaps they could choose to ignore Bill C-288, that it is not very important. I do not think they can do so, once a bill like that has passed and has received Royal Assent. I think we should be concerned about the precedent that is being established here.

Who will take responsibility if we, as private members, force the government into a program that it does not want to implement? Do they turn to the people and say, "The devil made me do it." This is not our system of government.

Senator Mitchell quite properly reminds me that at least sometimes the question of confidence is a two-way tango. The House of Commons can declare a matter to be subject to confidence, but it is also up to the government to declare whether a measure is a matter of confidence, and to act accordingly.

Just in parenthesis, if Parliament says something is a matter of confidence, the government cannot then declare that it is not. Parliament has decided.

In terms of the government declaring something a matter of confidence, I have to say that until a couple of weeks ago I was of the opinion that this government had absolutely no excuse whatever to plunge the country into another election so soon after the last two elections. However, I am now wondering whether in view of what is being proposed, whether the government has any choice but to call an election, faced as it is with the prospect of its agenda being pre-empted by the opposition, and the agenda of a previous government being imposed upon it.

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

Motion agreed to and bill read second time, on division.

REFERRED TO COMMITTEE

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

On motion of Senator Mitchell, bill referred to the Standing Senate Committee on Energy, the Environment, and Natural Resources.

• (1530)

## STUDY ON RURAL POVERTY

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

Resuming debate on the consideration of the sixth report (interim) of the Standing Senate Committee on Agriculture and Forestry, entitled: *Understanding Freefall: The Challenge of the Rural Poor*, tabled in the Senate on December 13, 2006.—(Honourable Senator Callbeck)

**Hon. Catherine S. Callbeck:** Honourable senators, the Standing Senate Committee on Agriculture and Forestry, under the capable chairmanship of Senator Fairbairn, has undertaken to examine the dimension and depth of rural poverty in Canada. This came

about because during the last two years farm incomes have continued to fall, partly due to many crises in the agriculture community, such as drought, BSE and potato wart. The committee wanted to explore this serious situation. We realized that rural Canada is much more than farming, so we undertook to study rural poverty in all its dimensions.

We noted in our interim the report the concern that Canada's rural areas may be on the verge of an irreversible decline. In the past, rural Canada has been the backbone of this country. When Canada was formed in 1867, more than 80 per cent of Canadians lived in rural communities. Today, more than 80 per cent of Canadians live in urban communities. We have gone from one of the most rural countries in the world to one of the most urban.

This past fall, we heard a number of excellent presentations from academics, from government and industry representatives, and from the people most affected about the distinct challenges facing the rural poor. These presentations helped to better define the nature and scope of rural poverty, its root causes and its many dimensions, and some of the steps that might alleviate its serious consequences.

The committee has heard that rural poverty is widespread and that it is under-researched and under-reported. In fact, this is the first time that we are aware that a federal parliamentary committee has written a report dedicated to the subject of rural poverty. Unfortunately, rural poverty has been largely unnoticed. Canada's rural poor are simply not as visible as poor people in urban areas.

Over the past two months, the committee has been travelling across the country to learn more about this issue. We have heard firsthand from people who are living with this problem in their daily lives. These hearings have enabled the committee to put a human face on rural poverty.

As I have mentioned, there has been a decline in farm incomes, which has had a serious impact on farmers and their families. Increasingly, they rely on off-farm income just to get by. There has been a long-term trend of people leaving the industry. For example, there were more than 2,200 farms in Prince Edward Island in 1996. By 2001, just five years later, there were 1,845 farms, a decrease of 17 per cent.

As well, there are fewer people living in rural areas. Figures from the 2001 census also show that the population of rural Canada is declining. Youth are leaving to pursue education or to find work, and people with knowledge and skills are leaving to find better job opportunities. Their departure has very real and serious consequences for the communities they leave behind because it creates a vicious circle. As more people leave, fewer people are left behind. This small population base leads to a decline in available services, which forces even more people to leave. Often, those who are left behind are older, less mobile and less able to adapt.

This decline in population also results in what has been termed "social exclusion," which means that individuals are unable to fully take part in their communities. Many people living in rural areas often have difficulty accessing health, education and other services, and these difficulties affect some groups more than others, especially where transportation is an issue. For instance,

children may not be able to partake in after-school programs due to a lack of transportation. Single mothers often do not have access to affordable child care or other services, and seniors may have difficulty finding health care services and affordable housing.

Last September, the Public Health Agency of Canada released a study entitled *How Healthy are Rural Canadians?* The report showed that rural Canadians are generally less healthy than their urban counterparts. They have shorter life expectancies and are more likely to die from suicide.

Honourable senators, overall mortality due to injuries and poisoning is also higher in rural Canada. Certain rural-based industries, such as farming, fishing and forestry, have high levels of occupational hazards. As well, people living in rural areas generally need to travel more to work, shop or for other reasons, resulting in injuries or fatalities due to highway accidents.

We also know that health is closely related to economic and social factors, such as income and education. Unfortunately, these factors tend to be lower in rural areas. For instance, the highest proportion of low-income families in my province live in rural areas.

As for education, Canada-wide, the proportion of people aged 20 to 34 with less than a high school education is 23 per cent in rural areas compared with 14 per cent in urban areas. Both these factors have an effect on overall health and well-being.

During the hearings we held last fall, we heard many different ideas on how rural Canada can be revitalized. Some encouraged rural communities to create alliances with other neighbouring rural communities and even with neighbouring urban areas. Some advocated making urban Canadians more aware of the importance of rural communities to their own well-being, like a safe food supply or clean water. Some witnesses spoke about the great potential of tourism, immigration and the decentralization of government services. In the case of agriculture in particular, some indicated a need for a complete overhaul of our federal agriculture policy.

The problem of poverty in rural Canada is real, and we have to remember that it does not just affect poor people in rural communities. It is a problem that undermines the strength of society as a whole. Rural poverty means that a significant percentage of the Canadian population is excluded from full participation in the economic and social life of this country. It means that a significant percentage of the Canadian population is not contributing as it should to Canada's growth and development.

Coming from a rural community, I am deeply aware of the problems that these communities face, and I hope that we can develop public policies to help individuals and communities to help themselves, which will lead to a better and brighter future for rural Canada.

On motion of Senator Mercer, debate adjourned.



## SCRUTINY OF REGULATIONS

### FOURTH REPORT OF JOINT COMMITTEE ADOPTED

On the Order:

Consideration of the fourth report of the Standing Joint Committee for the Scrutiny of Regulations (Report No. 78—Disallowance), presented in the Senate on February 13, 2007.—(*Honourable Senator Eyton*)

Pursuant to section 19.1(5) of the Statutory Instruments Act, report deemed adopted.

• (1540)

## AGRICULTURE AND FORESTRY

### BUDGET—STUDY ON PRESENT STATE AND FUTURE OF AGRICULTURE AND FORESTRY— REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the seventh report of the Standing Senate Committee on Agriculture and Forestry (*budget—study on present state and future of agriculture and forestry in Canada*), presented in the Senate earlier this day.—(*Honourable Senator Fairbairn, P.C.*)

**Hon. Joyce Fairbairn:** Honourable senators, I move the adoption of the report.

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

Motion agreed to and report adopted.

### BUDGET—STUDY ON RURAL POVERTY— REPORT OF COMMITTEE ADOPTED

The Honourable Senator Fairbairn, P.C., Chair of the Standing Senate Committee on Agriculture and Forestry, presented its eighth report (*budget—study on rural poverty in Canada*).

**Hon. Joyce Fairbairn:** Honourable senators, I move the adoption of the report.

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

Motion agreed to and report adopted.

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### BUDGET—STUDY ON MATTERS RELATING TO MANDATE—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on Energy, the Environment and Natural Resources (*budget—study on matters related to mandate*), presented in the Senate earlier this day.—(*Honourable Senator Banks*)

**Hon. Tommy Banks:** Honourable senators, I move the adoption of the report.

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

Motion agreed to and report adopted.

## NATIONAL SECURITY AND DEFENCE

### BUDGET—STUDY ON NATIONAL SECURITY POLICY— REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the twelfth report of the Standing Senate Committee on National Security and Defence (*budget—study on national security policy*), presented in the Senate earlier this day.—(*Honourable Senator Kenny*)

**Hon. Tommy Banks:** Honourable senators, I move the adoption of the report.

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

**Some Hon. Senators:** Agreed.

**Hon. Terry Stratton:** Honourable senators, I have a question for Senator Banks. I would ask, where is the chairman of your committee today?

**Senator Banks:** Honourable senators, I am not sure where the deputy chair is.

**Senator Stratton:** Are you saying that we have neither the chair nor the deputy chair present to answer questions?

**Senator Banks:** That is correct.

**Senator Stratton:** We are being asked to approve this budget without them here, in essence. Yes or no?

**Senator Banks:** That is the motion, yes.

**Senator Stratton:** I hope you would know how to answer the questions.

**Senator Banks:** I will attempt to do so.

**Senator Stratton:** You have listed under your special study a budget request that was originally \$283,000 and has now been reduced down to \$213,882 at the Internal Economy Committee. When you go through the breakdown of the original budget of \$283,000, under item No. 1 there is a listing for “various advisers.” One is a senior military adviser for 12 months at \$3,308 per month, for a total of \$39,700; the other is for a military adviser for enlisted personnel for three months at \$500 per month, for a total of \$1,500; and then there is a full-time national security adviser, which the Internal Economy Committee did not approve. This is a new position and it has not been explained to us at all.

When we get back, we will be waiting to hear from all committees on major budget items and this will be one of those items with respect to the overall budget for the Security and Defence Committee. I think the overall budget is well over \$900,000, and approaching \$1 million.

The list goes on: A writer/editor/researcher, 67 days at \$800 a day, for a total of \$53,600; communications consultant for 25 hours at \$200 per hour for a total of \$5,000; clerical assistance, 12 months at \$3,085 per month for \$37,000; and a miscellaneous line item for \$10,000.

Could the senator give an explanation to this chamber as to the reason for the senior military adviser, the military adviser for enlisted personnel, and the full-time national security adviser, please?

**Senator Banks:** As Senator Stratton said, the explanation for the national security adviser is forthcoming to the Internal Economy Committee. The amount for that has been removed

from this budget. I will leave it to the chair to do that because the motion today does not contemplate that \$60,000, which has been removed from the budget.

However, in respect of the senior military adviser and the military adviser for enlisted personnel, are those the two that the honourable senator asked about?

**Senator Stratton:** An explanation was asked for the senior military adviser, for \$39,700; the military adviser for enlisted personnel, at \$1,500; and the senior intelligence and national security adviser, again for \$39,700.

**Senator Banks:** I will explain those to the best of my ability.

Honourable senators, I think that the best explanation is given in the frequency and completeness that is reflected in the reports of the committee, but I will tell you what these people do. The senior military adviser, who has been with the committee for about three years now, is retired Lieutenant-General Keith MacDonald. I am speaking now about the history of the committee, not only in respect of the present government but also the previous government and its senior officers, its ministers and its deputy ministers. We do not get straight answers. We do not get the kind of answers that allow us to draft and to present to this place reports that are as clear and concise and incisive, if I may be immodest, as the reports which that committee does bring. We need good advice in order to find out who is blinking when, and where to go to find out the answers to questions to which the original answers were obfuscation and evasion. We have come to learn that that is the business of senior people in this place, to sometimes obfuscate and evade. We need ways around that, and the way we can get around that, to a degree, is by seeking and engaging expert advice, not to tell us what the answers are, but to explain to us how we can obtain the answers that we seek. Retired Lieutenant-General MacDonald is very good at that.

The military adviser, enlisted personnel, is a retired warrant officer, but not merely that, he is a chief warrant officer and is not merely a chief warrant officer but the senior non-commissioned officer of the army. He was the NCO of the army of Canada. His name is Sergeant Dessureault. I will give you an idea of how handy he is to us. You will notice that he is only here for three months, at \$500 a month.

When we went to a particular military base, we arrived at the airport and were met at that airport with a bus, onto which all of us loaded — the chair, the deputy chair and all the rest of us and our staff. The commanding officer, of the base sent his car for Sergeant Dessureault because that is representative of the regard in which he is held in the army — not only when he was in it but also, since he is now retired, by those who continue in command of the army. That is why we engage Sergeant Dessureault.

• (1550)

The senior intelligence and national security advisor is former director of security intelligence at Canadian Security Intelligence Service, CSIS. The honourable senator may transpose to this answer everything obfuscatory and evasive that I said in respect of answers that we receive, at times, on matters of security intelligence when we speak to people here. That stands too for the advice that we need to determine how to find the answers that allow the committee to present the kinds of reports that it does. That is what Mr. Barry Denofsky, Senior Intelligence and

National Security Advisor does. I was asked if there was any urgency in the committee's budget, but I do not know that answer. His name is Barry Denofsky, former director of security intelligence at CSIS, and he assists the committee in that regard. I will not explain the full-time national security advisor to the honourable senator because that will be explained, as Senator Stratton said, at the meeting at which that amount in the budget is considered. It has been removed from the current budget.

**Senator Stratton:** The honourable senator realizes that this is unique to all committees. It is usual for the Banking Committee to be comprised of members that have an expertise in, and background of, business with respect to banking. The same can be said of the Standing Senate Committee on Legal and Constitutional Affairs. I understand the explanation but I cannot understand the quantities that are required.

Moving to line item seven under that budget request, there are conference fees for \$5,000. Can Senator Banks advise the house as to the nature of the conference? Two conferences are mentioned two pages further on — one is in San Pedro, California, for one senator for \$5,820 from April 11-12, 2007; the second one is from May 22-24, 2007, for two senators for \$12,310. I assume that the San Diego trip is not in this budget request. Although the number does not seem to jibe, that request would be for the trip to San Pedro.

**Senator Banks:** It is my understanding that conferences explained in budget applications are provided as examples and not as specifics. Committees have, from time to time, changed the conference as events arise during the course of a fiscal year. The conference will be attended, provided it stays within the prescribed purview of the committee and the budget allowed for that purpose. I assume that the honourable senator is right but, as with all conferences, new ones come up and some are cancelled. There is movement within the purview of a committee to deal with that.

**Senator Stratton:** For the record, the following conferences are also listed: Anaheim, California, for two senators for \$13,500, August 6-11, 2007; in Zurich, Switzerland, for two senators for \$24,280; and London, England, for two senators for \$18,950.

The \$5,000 listed in the application should be clear as to which conference the committee seeks the approval of the house. I ask that. In the future, I hope that I would not stand and pass, or vote in favour of, this budget without the questions being responded to by the chairman or the deputy chairman. It is inappropriate to have someone else do that.

I have a further question. A fact-finding trip to Newark and Washington is listed, wherein the committee has budgeted for nine senators, two clerks, one consultant, two researchers and a media relations person for a total of \$114,900. My understanding is that six senators sit on that committee. Is that correct?

**Senator Banks:** No, as your leader has said, there are nine senators sitting on the Defence Committee.

**Senator Stratton:** Forgive me, but as whip on our side, I believe that there are only six.

**Senator Banks:** Senator Stratton, in answer to my question yesterday, the Leader of the Government in the Senate said that there were no vacancies and that replacements are yet to be

named. It is not a matter for either you or me to decide how many senators sit on that committee because the Senate has decided that nine senators sit on the Defence Committee.

**Senator Stratton:** If the committee has budgeted for nine and only six, five or four senators travel, for those senators who do not travel, the money for their airfare, hotel accommodations, meals, et cetera will be put back into the Senate and not used for other purposes. Is that the understanding of the honourable senator?

**Senator Banks:** Senator, that is the rule that has always been applied and the usual practice in this place. The honourable senator knows that I have never been a member of a committee that does not budget for all its members to travel on all of its fact-finding trips and all its hearings away from Ottawa. I have never seen one such trip when all members of a committee travel and for which the money is not returned to the Internal Economy Committee for distribution to other committees.

**Senator Stratton:** We will not address that aspect again because earlier it caused quite a kerfuffle. I am delighted to know that the honourable senator has made the commitment such that the monies budgeted for the airfare, accommodation and meals of senators on the Defence Committee who do not travel will be returned to the Senate. Thank you very much for that.

**Hon. Lowell Murray:** Honourable senators, the matter that puzzles me might more appropriately be directed to the chair of the Defence Committee or to someone authorized to speak for the Internal Economy Committee. However, I will address my concern to Senator Banks. There might be a simple explanation.

According to Appendix B of the report presented Thursday, March 29, 2007, the house is being asked to approve a total budget of \$213,882. Yet, the budget presented by the National Security and Defence Committee to the Internal Economy Committee showed a grand total of \$957,360. Under the signature of the principal clerk of the committees directorate and the director of finance, it states that the Senate administration has reviewed this budget application. Therefore, I understand that the internal economy Committee has approved the budget amount of \$213,882 of the \$957,360 that is being requested. Where is the difference between the two figures? Is internal economy withholding judgment or has that difference been refused by internal? Is there a cash flow problem? Where does the Senate stand on this? Will the Defence Committee come back to internal in tranches of \$200,000 and change until the total reaches \$957,360?

**Senator Banks:** The honourable senator is right in saying that the question ought properly to be answered by the Internal Economy Committee. I do not know the present circumstance but I believe I know the one that applies as in previous years. The expenditures totalling about \$213,000 have to be made in the next short period of time on the basis of commitments. It is a common thing not only for the Defence Committee but also for other committees that when a substantial budget has been presented, the larger budget attached to the first part of this report is the budget for the entire year, as presented to the Internal Economy Committee.

• (1600)

That committee has reviewed it and said that \$213,882 of it is required to be committed or spent before they get around — I am

putting word's in the committee's mouth — to hearing from everyone else as to how it ought to be divvied up. In the meantime, that committee has recommended, as I take it from the annex, the approval of this amount. This motion has to do precisely with \$213,882.

**Hon. Peter A. Stollery:** I am a member, together with Senator Downe and Senator Stratton, of the Subcommittee on Budgets. We met yesterday, and just so there is no misunderstanding, we know that the financial year ends this week. We are not sitting for a couple of weeks, so there are committee budgets. I know Senator Stratton presented a budget earlier dealing containing smaller amounts to deal with committee business. I remind everyone that the budgets not only went to the subcommittee, but this morning went to the full Internal Economy Committee.

The idea was that for people who had to travel, which is really the largest expense, we would approve enough to let them get on with their business. It has not been clear when the committee is going to meet on the budgets. Speaking on behalf of the Foreign Affairs Committee, it does not matter that much because we just finished a major project and we are now working on our plans. The whole idea was to facilitate committees that have plans.

If I am not mistaken, we decided yesterday that before the end of April, the Subcommittee on Budgets would meet again to deal with the rest of the budgets for the various committees. That is what our colleague is referring to. I do not think there is anything very peculiar here.

Today, we are facing the end of the fiscal year. Unless we want to sit tomorrow, which we can always do, the idea was to allow these committees to go off on their business and we will deal with the real business in the next fiscal year. We all know that a possible election is hanging over us, and that is the reasoning why only part of the budget was approved yesterday by the subcommittee and this morning, presumably, by the full committee.

**Hon. Sharon Carstairs:** Will the honourable senator tell me if he is the third member of the steering committee? Did he or the chair of the committee actually present the budget to the subcommittee?

**Senator Banks:** I am the third member of the steering committee. It was the chairman, I believe, who presented the budget to the committee. I was not there.

I apologize, honourable senators, but in respect of this amount, Senator Stratton was asking about why we are providing dribs and drabs. He will note in the large budget, the whole \$980,000 that was presented, the first trip, which is to Newark and Washington, is in April.

I remind senators, as Senator Stollery has said, when a new fiscal year occurs, nothing happens until the Internal Economy Committee has decided to approve the respective budgets. April 1 is this week and then we have a two-week break. Airplane tickets have to be bought and hotels must be reserved, none of which can happen until this budget is approved.

On motion of Senator Tkachuk, debate adjourned.

BUDGET AND AUTHORIZATION TO TRAVEL—  
STUDY ON VETERANS' SERVICES AND BENEFITS,  
COMMEMORATIVE ACTIVITIES AND  
CHARTER—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the thirteenth report of the Standing Senate Committee on National Security and Defence (*budget—study on veterans' services and benefits, commemorative activities and charter—power to travel*), presented in the Senate earlier this day.—(*Honourable Senator Kenny*)

**Hon. Percy Downe:** Honourable senators, I move the adoption of the report.

**Hon. Terry Stratton:** To avoid confusion, the chair of the subcommittee, as I understand it, is Senator Day, and he is not here either.

**Senator Downe:** Senator Day had to leave and asked me to move the adoption of the report.

**Senator Stratton:** Since Senator Downe is on the Subcommittee on Budgets, along with Senator Stollery and myself, perhaps he can answer these questions to clarify the record.

The original request for the trip to Vimy Ridge submitted by the committee was, in essence, to allow for four senators to travel to Vimy and Paris, as well as two staff. The Subcommittee on Budgets, for the record, reviewed this budget and reduced it so that three senators could travel and no staff. Is that the honourable senator's understanding?

**Senator Downe:** That is not only my understanding, that is absolutely correct.

**Senator Stratton:** Senator Stollery reaffirms that as well.

It is unfortunate that when it comes time for budget approval, the chairs of these committees should be here. When the chamber reacts like it just has with respect to the previous budget, it sends a message that hopefully they will understand for the future.

The event in Vimy taking place in April is very special, and it is critical that this budget be approved despite the fact that the chair is not here. The budget is in the amount of \$42,420, which includes travel for three senators only and no staff.

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

**Hon. Senators:** Question!

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

Motion agreed to and report adopted.

HUMAN RIGHTS

BUDGET AND AUTHORIZATION TO ENGAGE  
SERVICES—STUDY ON CASES OF ALLEGED  
DISCRIMINATION IN HIRING AND PROMOTION  
PRACTICES AND EMPLOYMENT EQUITY  
FOR MINORITY GROUPS IN FEDERAL PUBLIC  
SERVICE—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the ninth report of the Standing Senate Committee on Human Rights (*budget—study on cases of alleged discrimination in hiring and promotion practices and employment equity for minority groups in federal public service—power to hire staff*), presented in the Senate earlier this day.—(*Honourable Senator Fraser*)

**Hon. Joan Fraser:** Honourable senators, I move the adoption of this report.

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

**Hon. Senators:** Question!

**The Hon. the Speaker:** Do you wish to speak, Senator Fraser?

**Senator Fraser:** Given my practice of asking other people what the money is for, I thought it would be appropriate to note that this is a very small budget. It is for \$3,300. I am the deputy chair of the committee, and the reason we are asking for accelerated approval of this budget is that the committee may wish to hear witnesses on the first day back from the break in connection with the committee's continuing study of employment equity in the public service.

Senators will be aware that the committee's first report on this matter has been well received and we believe will be influential. We are indeed continuing that work. That is all that is involved in this budget; it involves no travel.

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

Motion agreed to and report adopted.

• (1610)

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

MESSAGE FROM COMMONS

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill S-2, to amend the Hazardous Materials Information Review Act, and acquainting the Senate that they had passed this bill without amendment.

CANADIAN NATIONAL VIMY MEMORIAL

INQUIRY—DEBATE CONCLUDED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Dallaire, calling the attention of the Senate to the final phase of the restoration of the Canadian National

Vimy Memorial, begun in 2001 under the auspices of the Canadian Battlefield Memorials Restoration Project.—  
(Honourable Senator Fraser)

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, it is my privilege to rise and speak to Senator Dallaire's inquiry calling the attention of the Senate to the restoration of the Canadian National Vimy Memorial, which of course is a wonderful tribute to Canadians and to all the war dead.

Honourable senators, on Monday, April 9, a ceremony will be held in France to mark the anniversary of the Battle of Vimy Ridge, and to dedicate the restored Canadian National Vimy Memorial.

The battle began at dawn on April 9, 1917, when all four divisions of the Canadian Corps attacked Vimy Ridge. The commander of the corps that day would go on to become the Governor General of this country, Lieutenant-General Sir Julian Byng. By the afternoon of April 9, the Canadians had taken the crest of Vimy Ridge. On April 12, 1917, they took Hill 145, and a large hill on the northern part of the ridge known as "the pimple." To that point in World War I, it was the largest advance on the Western Front.

No commentary on Canada's coming of age during the First World War would be complete without acknowledging the leadership of then Conservative Prime Minister Sir Robert Borden. As Prime Minister, he committed our country to provide half a million troops for the war effort, and his determination to meet that substantial commitment led to the Military Service Act.

The war effort provided the impetus for Canada to assert itself as an independent power. Sir Robert Borden oversaw the creation of a single Canadian army, rather than having our soldiers split up and assigned to different British divisions. The Minister of the Militia and Defence, Sam Hughes, ensured that the Canadian soldiers were well trained and prepared to fight in their own divisions. As honourable senators will no doubt agree, the Canadian soldiers proved themselves to be among the best in the world at the Somme, at Passchendaele, and especially Vimy.

Following Canada's efforts on the battlefields of Europe, Sir Robert Borden demanded that our country have a separate seat at the Peace Conference in Paris. Although this was initially opposed by Britain, and by the United States on the perception that this would mean an extra British vote, Borden replied that as our country had lost more soldiers than the United States in the war, Canada therefore had a right to such representation.

The British Prime Minister, David Lloyd George, eventually convinced the United States to accept the presence of separate delegations representing not only our own country but Australia, New Zealand and South Africa as well. Therefore, Sir Robert Borden's persistence not only allowed Canada to be represented at the Paris Peace Conference but also ensured that the other dominions could sign the Treaty of Versailles in their own right, and receive their own distinct membership in the League of Nations.

Honourable senators, over the next few days, many thousands of Canadians, including about 5,000 young people, will be travelling to France to attend the ninetieth anniversary event.

Special tributes will be held across our country and on April 9, a commemorative ceremony will be held here in Ottawa at the National War Memorial.

At home or overseas, Canadians will gather this Easter Monday to remember the battle that began at dawn on another Easter Monday, 90 years ago. It is a wonderful coincidence that they both fall on Easter Monday.

The Battle of Vimy Ridge was a turning point in the First World War and one that helped shaped Canada as a nation. It was a battle with a devastating cost. There were 10,602 Canadian casualties, of which 3,598 were fatal. The Vimy memorial stands on Hill 145, which, as I mentioned, is the highest point on the ridge. It marks the site of the military victory and pays tribute to those Canadians who served their country in the "war to end all wars" and paid a high price.

Honourable senators, although 90 years have passed since the Battle of Vimy Ridge, it is heartening to know that Canadians continue to place solemn importance on honouring those soldiers who fought and died there so long ago. We must never forget this sacrifice of the past, a sacrifice that did so much to ensure the freedom and the liberty we cherish today. Lest we forget.

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

## FISHING INDUSTRY IN NUNAVUT

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Adams calling the attention of the Senate to issues concerning the fishing industry in Nunavut related to the use of fishing royalties, methods of catch, foreign involvement and a proposed audit of Inuit benefit from the fishery.  
—(Honourable Senator Tardif)

**Hon. Willie Adams:** Honourable senators, today is the last day on which the Senate will be sitting before the Easter break. I may not be able to make the next sitting. I was talking to Senator George Baker, who cannot be here this afternoon. He would like this motion to be adjourned in his name until the next sitting.

On motion of Senator Adams, for Senator Baker, debate adjourned.

## THE SENATE

### GENDER EQUALITY—INQUIRY— DEBATE ADJOURNED

**Hon. Terry M. Mercer** rose, pursuant to notice of March 27, 2007:

That he will call the attention of the Senate to gender equality in the process of governance, specifically how we, as senators in the Senate of Canada, can be a model for gender equality by requiring that the number of senators in this place be composed of 50 per cent women and 50 per cent men.

He said: Honourable senators, it is with great pride that I stand here today to start the debate on this very important inquiry on gender equality in the Senate. We have in the Senate, together with our colleagues in the other place, a historic opportunity that we must grasp with both hands.

Many proposals are currently on the table for Senate reform. The entire process by Canada's "growing-old" government for Senate reform is piecemeal and is only designed to offer an olive branch to the Prime Minister's Conservative friends.

The issue I speak of today is not political. It is one of basic human rights. It is widely accepted here in Canada and abroad that more equitable representation by women in Parliament is needed to reflect the composition of society and to ensure that women's diverse interests are being represented.

Women make up more than 50 per cent of the Canadian population. In fact, honourable senators, today marks a very historic date in the history of women in politics in Canada. It was on this day in 1993 that the only woman ever elected as first minister of any government in a province in Canada took her place in the legislature of Prince Edward Island, when Senator Callbeck became premier of Prince Edward Island.

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

**Senator Mercer:** We all congratulate her and know that she has been a leader ever since, along the way.

Although women play important leadership roles in many organizations, their representation in public office remains considerably lower than that of men in Canada and worldwide.

• (1620)

Equal Voice is an action group dedicated to raising publicly the issue of under-representation of women in Parliament, in Canada and in the provinces. I am a member of this organization, as many of you may be. We want to help create a climate in which more women will be elected to help govern Canada.

According to the Inter-Parliamentary Union, IPU, with only 64 women in the House of Commons — only 21 per cent of MPs — Canada ranks forty-eighth in the world among democracies in terms of women's representation in the national legislature, after Iraq, Afghanistan, Pakistan and Portugal.

Here in the Senate there are 32 women. That number represents 34.4 per cent. That is one of the highest representative groups of women in the world, but we are still behind. We are still nowhere near a 50-per-cent target of men and women in the entire Parliament of Canada.

Honourable senators, should a target of 50 per cent of women in the Senate and other place be set? Yes. Can it be achieved? Yes. The results of other countries around the world speak for themselves when it comes to their elected parliaments.

According to the Library of Parliament's paper, entitled *Women in Parliament*, by the end of 2005, 18 countries had succeeded in meeting more than 30-per-cent representation by women. One quarter of these countries are Nordic, which have made long-standing efforts to increase participation of women.

Another quarter are so-called post-conflict countries such as Burundi, Mozambique, Rwanda and South Africa. In these cases, the increased representation of women is not the result of incremental progress; it is a radical reconceptualization of the electoral and parliamentary process in a way that recognizes the importance of equality between men and women.

Wales recently became the first jurisdiction to elect 50-per-cent women, ahead of Sweden and other Nordic countries who, again, have done a better job in achieving gender equality in their parliaments.

However, we, as Canadian senators, are not elected; we all know that. This is why there is a golden opportunity to achieve gender equity now in Canada. This goal can be achieved because of the selection process for senators; that is, we are appointed to this place.

Honourable senators heard yesterday my honourable colleague, Senator Banks, speak to the issue of vacancies in this place. I wholeheartedly agree with him. The Constitution Act, 1867, sets out the means by which Canada is to be governed. Section 24 of the Constitution Act, 1867, obliges the government of the day to name persons to the Senate. Section 32 of the act describes what happens in the event of vacancies in the Senate.

As Senator Banks suggested, those sections create a legally binding obligation on the government to replenish the membership of the Senate. Canada's growing-old government has done nothing to fill these vacancies.

The regions are increasingly under-represented here in this place because of the inaction of the Prime Minister. Rather than appoint more women to this place, he chose to try to limit terms of senators. He is also trying to bring in an election mechanism for senators, which I do not think he believes will achieve equality on other fronts for this place.

I say this because it has not passed first reading in the other place. During his 10 years as prime minister, Jean Chrétien appointed 33 women to this place. That is the most women appointed by any prime minister in the history of Canada, and still is. Of his 75 appointments to the Senate, 44 per cent were women.

Honourable senators, what would happen to gender equity in this place if the current Prime Minister appointed all women to fill the vacancies? Let us look at the math. I know the Leader of the Government and I have had some discussions about her math with respect to the Wheat Board, so I will try to walk honourable senators through this carefully.

There are currently 32 women and 61 men, with 12 vacancies, in the Senate of Canada. If we base the percentages on 93 — the total seats in the Senate that are currently filled — it would be women, 34.4 per cent and men, 65.6 per cent. If all 12 vacancies were filled by women, it would raise the total to 44 women, making it 42 per cent. That is a 22-per-cent increase.

There are four retirements in 2008. Those additional appointments of women would raise the number to 48, making 45.7 per cent of senators women. There are 12 retirements in 2009; and if those seats were filled by women, the number would rise to 60 women, making the total 57 per cent.

Honourable senators, according to my math, we could achieve gender equity in the Senate in a mere two years if we had the commitment not only of the current Prime Minister, but also of my leader, the Leader of the Opposition in the other place, who, during this period, we hope will become the Prime Minister and will follow my recommendations.

This situation would result, almost 80 years later, in what the Famous Five started. Until 1929, one word denied women access to the Senate; the word "persons" in the British North America Act did not include women. However, as persons, they were able to vote in all federal and most provincial elections.

In 1927, five remarkable Alberta women fought the interpretation of the word "persons." That time, they did not succeed. Two years later, the judicial committee of the Privy Council of Great Britain, which was still the highest court of appeal for Canada, declared that the word "persons" included men and women.

I highlight this issue as a means to show honourable senators that one way we can reform this place, and Canada as a nation, is to achieve gender equity. Let us live up to the legacy of the Famous Five.

I have shown honourable senators that achieving equity can be simple; but it would mean so much more.

Since the early 1980s, major Senate reform proposals have favoured an elected Senate, arguing that this would give the Senate enhanced democratic legitimacy. Opponents of election argue that it would make the Senate duplicate rather than complement the representation of the House.

Senate elections may prevent any type of equalization between the sexes in this place. The appointment process for senators works, has worked and will continue to work if we look at reform in a meaningful way.

Options for Senate reform within the existing Constitution are wide ranging. For example, the Senate can alter practices in the chamber or committees, the committee structure, the allocation of time and resources among activities and related matters. Proposals for Senate elections hold that the provinces could hold elections for the purpose of identifying nominees, and prime ministers could routinely appoint the election winners without changing the appointment process.

In this scenario, has there been any discussion as to making sure that the list of nominees includes 50 per cent women? Let us look at the provinces and their current senators.

Alberta has three out of six senators who are women. That is 50 per cent, so they have already achieved equity. In British Columbia, two of five are women, for 40 per cent. In Manitoba, four out of six are women, for 66.6 per cent. In New Brunswick, four of the nine are women, for 44 per cent. In Newfoundland and Labrador, it is two out of five, for 40 per cent. In my province of Nova Scotia, it is one out of seven, for only 14.28 per cent, which is a shame. Ontario has six women out of 22, for 27 per cent. Prince Edward Island has two of three, for 66 per cent. Quebec has five of 23, for 21.73 per cent; and Saskatchewan has three out of six, for 50 per cent, again achieving equity.

Honourable senators now can see that many provinces already have gender equity when it comes to senators, but some are far behind, including my own province. We have three vacancies in Nova Scotia, so we could fix that pretty fast.

We can start now to rectify gender equity in the Senate by doing it as a whole. Then we can look at ensuring each province is comprised of 50 per cent men and 50 per cent women, which would achieve our original goal.

I ask honourable senators to think about what I have said today.

• (1630)

I ask honourable senators to add their own voice to this inquiry. I also ask for a clear commitment today from the current Prime Minister and from the party leaders of the other parties, including my own leader, to agree that the approach to achieve gender equity, which I have spoken of, can work. It can be achieved. If we are to talk the talk, we must walk the walk.

Increasing the proportion of women in Canada's Parliament is important to ensure that Parliament represents the Canadian electorate in all its diversity. While the Canadian electorate appears equally likely to elect men and women candidates, women still represent a minority of candidates in federal elections. Canada's growing-old government is again merely trying to bring about piecemeal reform to this important institution of Canada to appease its friends. This place deserves better than that. This place deserves to be a model of equity in Canada and in the world. Let us get it done.

On motion of Senator Carstairs, debate adjourned.

## BUSINESS OF THE SENATE

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I wonder if I might have leave to proceed to certain items on the Order Paper and come back to our place later. The specific items for which I would ask leave to proceed to are items 154, 157, 158, 161, 162, 163, 164 and 165, following which we would come back to our place on the Order Paper.

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

**Some Hon. Senators:** Agreed.

**Hon. Roméo Antonius Dallaire:** Exactly what is the senator telling us?

**Senator Comeau:** I am almost positive that these are items we can deal with quickly, so we want to be sure they get done today, if possible. We have a house order coming up at 5:15 p.m. whereby the Governor General will be attending the Senate, so we would like to get these items dealt with now, which would leave us plenty of time to listen to Senator Dallaire and Senator Di Nino who have some items on the Order Paper that we would like to bring forward.

**Senator Dallaire:** This is not the first time I have been pushed off to the right because I am so far down the pecking order.

**Senator Cools:** You are not lower than I am.

**Senator Dallaire:** Thank you for that.

I am requesting that the order be changed when we come back so that I am not sitting here at the end again but that I might be further up the list. I know the time, but I want to take at least the 15 minutes. I am quite prepared to push it over to the next sitting, but I would like Motion No. 150 to be moved up in the pecking listing, if possible.

**Senator Comeau:** If the senator is denying leave, I accept his position.

**Senator Dallaire:** Forgive me. I do not want this to happen another 15 times. I am asking that when we come back on April 17 that this item on the Notice Paper not sit where it is but that it be one of the first motions to be dealt with, if that is possible.

**Hon. Sharon Carstairs:** I am not sure that my honourable friend understands that we are not adjourning all items for today. We are not doing that, as we sometimes do. The intention is to deal with a group of procedural motions quickly, and then we will return today to the rest of the items on the Order Paper and Notice Paper.

**Senator Dallaire:** I was talking with our deputy leader and was left with the impression there would not be time left. That is why I raised the matter.

**The Hon. the Speaker:** Is leave granted for the request of Senator Comeau?

**Hon. Senators:** Agreed.

### ABORIGINAL PEOPLES

#### COMMITTEE AUTHORIZED TO STUDY RECENT REPORTS AND ACTION PLAN CONCERNING DRINKING WATER IN FIRST NATIONS' COMMUNITIES

**Hon. Gerald J. Comeau (Deputy Leader of the Government),** for Senator St. Germain, pursuant to notice of March 20, 2007, moved:

That the Standing Senate Committee on Aboriginal Peoples, in accordance with rule 86(1)(q), be authorized to examine and report on recent work completed in relation to drinking water in First Nations' communities, notably: the November 2006 *Report of the Expert Panel on Safe Drinking Water for First Nations*; the 2005 Report of the Commissioner of the Environment and Sustainable Development on *Drinking Water in First Nations Communities*; and the Department of Indian Affairs and Northern Development's Plan of Action to address drinking water concerns in First Nations' communities.

That the Committee submit its report on this matter to the Senate no later than June 15, 2007.

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

Motion agreed to.

### HUMAN RIGHTS

#### COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF CASES OF ALLEGED DISCRIMINATION IN HIRING AND PROMOTION PRACTICES AND EMPLOYMENT EQUITY FOR MINORITY GROUPS IN FEDERAL PUBLIC SERVICE

**Hon. Joan Fraser,** for Senator Andreychuk, pursuant to notice of March 21, 2007, moved:

That, notwithstanding the Order of the Senate adopted on Thursday, April 27, 2006, the Standing Senate Committee on Human Rights which was authorized to examine cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met, be empowered to extend the date of presenting its final report from March 31, 2007 to March 31, 2008 and that the Committee retain until June 30, 2008 all powers necessary to publicize its findings.

She said: Honourable senators, I move the adoption of this motion. While I am on my feet, I will be moving four similar motions. They are for the simple extension of studies that the Senate has already approved. The one that may be of the most immediate interest to some senators will involve, when we get to it, our study on the rights of the child. In that instance, the committee is just a one-month extension because we are down to the final work on our report.

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

**Hon. Senators:** Agreed.

Motion agreed to.

### BUSINESS OF THE SENATE

**Hon. Anne C. Cools:** Honourable senators, I wish to ask a question. Are we on motion 157? I would urge honourable senators to be more attentive to the scripting of these motions. We are passing all manner of oddities in this place.

### HUMAN RIGHTS

#### COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF LEGAL ISSUES AFFECTING ON-RESERVE MATRIMONIAL REAL PROPERTY ON BREAKDOWN OF MARRIAGE OR COMMON LAW RELATIONSHIP

**Hon. Joan Fraser,** for Senator Andreychuk, pursuant to notice of March 21, 2007, moved:

That, notwithstanding the Order of the Senate adopted on Thursday, April 27, 2006, the Standing Senate Committee on Human Rights which was authorized to invite the Minister of Indian and Northern Affairs concerning the recommendations contained in the Committee's report entitled *A Hard Bed to lie in: Matrimonial Real Property on Reserve*, tabled in the Senate November 4, 2003, be empowered to extend the



date of presenting its final report from March 31, 2007 to March 31, 2008 and that the Committee retain until June 30, 2008 all powers necessary to publicize its findings.

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

Motion agreed to.

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

### COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF EVACUATION OF CANADIAN CITIZENS FROM LEBANON

**Hon. Peter A. Stollery,** pursuant to notice of March 27, 2007, moved:

That, notwithstanding the Order of the Senate adopted on Tuesday, October 24, 2006, the Standing Senate Committee on Foreign Affairs and International Trade, which was authorized to examine and report on the evacuation of Canadian citizens from Lebanon in July 2006, be empowered to extend the date of presenting its final report from March 30, 2007 to June 29, 2007; and

That the Committee retain until September 30, 2007 all powers necessary to publicize its findings.

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

Motion agreed to.

## ANTI-TERRORISM ACT

### SPECIAL COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT

**Hon. Joan Fraser,** for Senator Smith, pursuant to notice of March 27, 2007, moved:

That, notwithstanding the Orders of the Senate adopted on Tuesday, May 2, 2006, on Wednesday, September 27, 2006 and on Thursday, December 14, 2006, the date for the Special Senate Committee on the Anti-terrorism Act to submit its final report be extended from March 31, 2007 to February 23, 2008.

She said: Honourable senators, I move the adoption of this motion, which extends the final reporting date for the Senate Special Committee on Anti-terrorism in order that the committee may follow the work of the government in responding to the recent Supreme Court decision in the case of *Charkaoui*. The Supreme Court of Canada gave the government one year to respond to that decision, and the deadline we now propose for the special committee is tied to that date.

**Hon. Anne C. Cools:** Honourable senators, I do not know who is scripting some of these motions, but the bringing in of the report is being postponed a year. Some explanation is required as to why the estimate of time within which the committee was supposed to work is being so drastically altered. Some reasons have to be given. Has the committee fallen down? Have people been sick? What has happened?

**Senator Fraser:** Honourable senators, as I just tried to explain, this is to enable the committee to respond to the government's response to the Supreme Court decision on the matter of security certificates in the *Charkaoui* case. The Supreme Court set a deadline of February 23, 2008, and that is why the committee is asking for that to be our deadline as well.

**Senator Cools:** I understand that, except in the previous motion it is quite routine. The same thing has been happening. Report dates are being extended a year at a time. I can see not one committee having difficulty, but every single committee having difficulty meeting its agreed-upon final reporting date. One simply cannot alter previous decisions of the Senate in this way. There should be some discussion and debate. Possibly there are very good reasons but, other than your explanation, they have not been placed before the house.

• (1640)

One of those motions, in passing, has an additional oddity. In addition to extending the date of its final report, the committee is allowed to retain for several more months all powers necessary to publicize its findings. These are very odd orders of reference to be making. A committee is always free, as is its chairman, to speak on any of its reports.

Maybe this is where the whole system is going, and maybe there are good and valid reasons, I do not know, but I find something just appearing on the Order Paper and just being voted upon like that, without question, to be a little odd. Some of these people are doing excellent work, so I am not on the substance of the issue.

**Hon. Sharon Carstairs:** Honourable senators, these reports of the Human Rights Committee, of which I was the chair, have in fact been reported. They have been tabled in the Senate, and they have been debated in the Senate. We have now engaged the departments in responding to those reports so that we know where they are standing on Aboriginal property rights for women, for example. We want that extension not because there will be an entire discussion of this issue over and over again, but so that we can monitor very carefully just what the government is doing in this regard.

**Senator Cools:** That is a very worthy and desirable object, and easy to support.

However, my eyes fall on, for example, Motion No. 158, which was voted on, and No. 157. The date of presenting the final report is being moved from March 31, 2007 to March 31, 2008. Honourable senators must admit that that is an oddity. The committee is asking if they may present the final report, instead of on March 31, 2007, on March 31, 2008, which is a whole year, and then someone is putting into the order here something about retaining the power to publicize their proceedings. I do not know what "publicize their proceedings" means. Does that mean televise? Does it mean something to do with the press? It is very vague and not clearly written, and it is not sufficiently clear as to what authority is being really asked for from the Senate.

I have served on countless committees, and committee chair will come here and ask for an extension of their report date. I remember it happened on one particular committee, I think it was child custody and access, but it took a debate. Reasons had to be given to the Senate as to why the date was being extended to make their report. I am only saying that we should proceed

perhaps in a bit more of an orderly and well informed way. No committee needs additional powers to be able to publicize unless, as I said before, “publicize” means something other than to make public. Every committee has that authority already. As a matter of fact, every hearing is a public hearing. It is all very odd.

These are important facts, and these motions are especially more important in today’s committees when very few senators are actually involved in the drafting of the motions. We are now living in a very odd time. We now have a situation where motion after motion, notice after notice, does not involve the hand of a single senator in the drafting or production of them. That is happening as well with committee reports. I served here when we produced reports and senators had a real hand in writing and producing reports. We should pay very careful attention to what it is that we are asking of others.

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

Motion agreed to.

### HUMAN RIGHTS

#### COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF ISSUES RELATED TO NATIONAL AND INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

**Hon. Joan Fraser,** for Senator Andreychuk, pursuant to notice of March 27, 2007, moved:

That, notwithstanding the Order of the Senate adopted on Thursday, April 27, 2006, the Standing Senate Committee on Human Rights which was authorized to monitor issues relating to human rights and, *inter alia*, to review the machinery of government dealing with Canada’s international and national human rights obligations, be empowered to extend the date of presenting its final report from March 31, 2007 to March 31, 2008 and that the Committee retain until June 30, 2008 all powers necessary to publicize its findings.

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

Motion agreed to.

#### COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF INTERNATIONAL OBLIGATIONS REGARDING CHILDREN’S RIGHTS AND FREEDOMS

**Hon. Joan Fraser,** for Senator Andreychuk, pursuant to notice of March 27, 2007, moved:

That, notwithstanding the Order of the Senate adopted on Wednesday, November 29, 2006, the Standing Senate Committee on Human Rights which was authorized to examine and report upon Canada’s international obligations in regards to the rights and freedoms of children, be empowered to extend the date of presenting its final report from March 31, 2007 to April 30, 2007 and that the Committee retain until July 30, 2007 all powers necessary to publicize its findings.

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

Motion agreed to.

### AGRICULTURE AND FORESTRY

#### COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

**Hon. Joyce Fairbairn,** pursuant to notice of March 27, 2007, moved:

That, pursuant to rule 95(3)(a), the Standing Senate Committee on Agriculture and Forestry be authorized to sit on Friday, March 30, 2007, even though the Senate may then be adjourned for a period exceeding one week.

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

Motion agreed to.

### VICTIMS OF CRIME

#### INQUIRY—DEBATE ADJOURNED

**Hon. Consiglio Di Nino** rose pursuant to notice of March 27, 2007:

That he will call the attention of the Senate to problems and challenges faced by victims of crime.

He said: Honourable senators, when we think about what it means to be a civilized society, protection of the vulnerable is always top of mind. Yet, there are segments of society that our social safety net still fails to catch. Victims of crime, particularly victims of violent crimes, are one such group. Their plight frequently captures the attention of Canadians, but all too often only in passing. Let me share with you some of the stories of some of the people who have been direct victims of crime and the repercussions of which have affected many others.

Fifteen-year-old Jonathan Wamback was walking home from school one day when he was viciously beaten by a group of teenaged boys. The kicks to Jonathan’s head and upper body shattered his skull and bone fragments severed major arteries. Doctors told his parents, Lozanne and Joe, that he was not expected to live, but after an extraordinary struggle, including three months in a coma and seven months paralyzed, he thankfully survived.

After almost killing Jonathan, the accused were charged with aggravated assault. One of them was acquitted. As Jonathan’s mom says, “We were helpless and angry. While my son was in a hospital bed, the accused were out on bail in seconds.”

Life for the family has not been easy, and support for them has been precious little. After four years of waiting for help from agencies created for that purpose, they gave up. The Wambacks know their miracle son will likely need assistance for the rest of his life, and now their focus is on providing for his future.

I have become friends with Jonathan and his mom and dad and can personally attest to their courage, perseverance, commitment and their frustration.

Colleagues, there are too many other tragic stories. Let me share a few others with you.

Fourteen-year-old Robbie McLennon was viciously attacked, tortured and beaten to death by a group of teenagers. When Robbie died, so did his family's dream of a normal happy life. His mother, Kathy, says, "We received a life sentence without any chance of this horror ever going away. I will mourn for Robbie for the rest of my life." Her painful memories are compounded by the knowledge that one of the convicted young offenders now lives among them. Robbie's mother still has nightmares, and the now financially compromised family unit cannot provide needed counselling for their youngest son or for her husband, who had to identify Robbie's body.

• (1650)

Another story is about a 14-year-old young woman who answered a door one evening and was shot in the face and killed by a young friend. After the police investigation ended and the family returned home, they were left to clean her bone and tissue from their home. To her mother's horror, the Crown negotiated a plea bargain allowing the accused to spend only two years in a youth facility. She learned of the bargain the day before it was approved.

Despite the crippling emotional trauma of the young woman's younger brother, he does not qualify for assistance.

Naomi Almeida was five years old when she was abducted from her father's home in London, Ontario, in August 2001. Naomi was later found one block away. She had been sexually assaulted, murdered and hidden in a duffel bag in a neighbour's apartment. Naomi was only 38 pounds, yet she had 138 wounds on her small body that were inflicted over a period of hours. She also had internal injuries.

Naomi's father, Al, and younger brother, Travis, still struggle to cope with day-to-day life. Her father said, "We always believed that our governments and agencies would be there to lend us a helping hand when we so desperately needed them, but there was no one. We were left on our own to try and survive."

Al has been unable to return to work full time and still has difficulty sleeping. He now concentrates on supporting and comforting Travis, who is now bullied at a local school by a gang of young thugs. The school board and police tell them that their hands are tied and they cannot help.

Gerald Leonard, a loving father of six, heroically intervened in a bank robbery in Montreal to protect a Bank of Montreal employee from harm. He was struck in the back of the head with a sawed-off shotgun. After spending months in hospital, partially paralyzed, he succumbed to his injuries in August 2006. His killer has not yet been caught.

His wife, Wanda, while coping with the enormous loss, struggled to access adequate services in the official language of her choice. Eight months later, Gerald's family is still waiting for the coroner's report.

Honourable senators, a father in Keswick, Ontario, whose 17-year-old son was attacked and left for dead a few years ago, tells us that today his only fear is leaving this world with no one to look after his permanently injured son when he is gone. This is a major concern for many families who have suffered as victims after tragedy. Who will care for their loved ones once they are no longer there? That is a major consideration.

Another story is about a mother of a murdered 15-year-old girl who sits demoralized as her daughter's killer receives a free university education in Canada's prison system, while her surviving son has never received any financial, educational or psychological assistance.

Honourable senators, these cases are heart-wrenching. Unfortunately, there are many, many more. Every year, thousands more become victims of violent crime. Behind every number is a story of a life that is tragically changed and, more often than not, shattered. For some, it is a grief unimaginable. It touches the lives of families, friends, neighbours and, indeed, the whole community. These people, too, are victims of crime.

We often hear of what happens to perpetrators who are found guilty. The media always reports on their fate. However, what do we hear about their victims' families, friends and communities? While their trauma is most acute in the moments of their victimization, all too often it is only the beginning of their pain and suffering. Victims may suffer hospitalization or lasting physical injury leading to loss of employment. Some victims are forced into social assistance. Emotionally, they may be scarred, living with anxiety, depression and fear. It can affect relationships with friends and family, and forever alter their lives.

From the first day victims or their families are thrust into the criminal justice system, challenges await. It may be the appearance of indifference by first responders, who may lack appropriate sensitivity training. It may be the long waits and paperwork for compensation claims that in the end may do little to ease financial burden and instead increase the psychological toll. It may be the lack of guidance in navigating through the system of criminal procedures, whether at trial, parole hearings and other such events. It may be the challenge of finding counselling or adequate services in the language their choice. Each endured slight compounds the sense of frustration and isolation.

In my own province of Ontario, the ombudsman, André Marin, released a report in February entitled *Investigation into the Treatment of Victims by the Criminal Injuries Compensation Board*. He calls the report, "Adding Insult to Injury." Mr. Marin discovered a litany of failures plaguing the body responsible for compensating victims of crime. He said that too few people knew about the existence of the compensation board and too many victims emerged "scarred and justifiably embittered by the bureaucratic sclerosis they have encountered." The average processing time for a claim was an astounding three years.

While that report is the most recent to come out of a provincial jurisdiction, and I am pleased to say that reforms have been introduced and funding has been pledged, I am left to wonder how much more needs to be done across Canada.

Honourable senators, all this is to say that we as citizens, policy-makers and a society must admit that we have not done enough.

On March 16, the federal government announced an injection of \$52 million into programs, services and funding for victims of crime over the next four years. It also announced the establishment of the Office of the Ombudsman for Victims of Crime.

I applaud these initiatives. The ombudsman's office will be independent of government. It will promote access to existing government programs, ensure the federal government meets its legislative and policy commitments, and identify and explore victims' issues.

The announcement of new funding will also help. Most will go toward the federal victims fund, which aims to "improve the experience of victims of crime in the criminal justice system."

The following are objectives of this initiative which, if implemented, will help ease current deficiencies.

It includes promoting participation by victims in the justice system, encouraging the development of law, policies and programs for victims at all levels of government, and the provision of limited emergency financial aid to those with exceptional circumstances.

The government announcements are welcome measures. Many in the victims' rights movement have been calling for the creation of an independent ombudsman's office for years. The additional funding is also a step in the right direction.

To be sure, there is more to be done. Our modern system of justice has been built around due process and fairness for the accused and, in a just and civilized society, that is as it should be. However, we have not been as fair and as just to victims and their families. They too are deeply affected by the administration of justice and all too often ignored.

Honourable senators, we cannot control the infliction of individual acts of criminality and violence, and what has been taken away we surely cannot restore, but we do have the ability to influence how victims and their families are treated in its terrible wake.

Across Canada, legislators in other provinces and territories are also speaking to this issue on behalf of countless victims whose voices are often neglected and excluded from the debate on matters dramatically affecting their lives.

Government ministers, backbenchers and opposition members, as the case may be, will release statements, ask questions or speak in their legislatures about this issue.

Honourable senators, I do not believe we truly understand, or know the full extent of, the agony and suffering, or have a full grasp of the needs and challenges of this too-large a group of Canadians. For that reason, after debate on this inquiry is concluded, and I hope a number of honourable senators will participate, I intend to refer this issue to the appropriate Senate committee for a full and thorough study.

On motion of Senator Comeau, debate adjourned.

[ Senator Di Nino ]

• (1700)

## THE SENATE

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

**Hon. Roméo Antonius Dallaire**, pursuant to notice of March 1, 2007, moved:

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.

He said: Honourable senators, I know I will be speaking beyond 15 minutes and I will be asking my colleagues to give me that extra time. Therefore I will accept a deferral, if I can, of this item to the next sitting and hope that the two deputies can get together in permitting me to go forward with that. I will also speak to the motion on nuclear non-proliferation on that same date, if that is possible.

On motion of Senator Dallaire, debate adjourned.

[Translation]

## ADJOURNMENT

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

**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 Tuesday, April 17, 2007, at 2 p.m.

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

**Some Hon. Senators:** Agreed.

Motion agreed to.

[English]

**The Hon. the Speaker:** Honourable senators, is it agreed that the Senate do now adjourn at pleasure to reassemble at 5:30 p.m., and that the bells ring for 15 minutes?

**Hon. Senators:** Agreed.

The Senate adjourned during pleasure.

• (1730)

[*Translation*]

#### ROYAL ASSENT

Her Excellency the Governor General of Canada having come and being seated on the Throne, and the House of Commons having been summoned, and being come with their Speaker, Her Excellency the Governor General was pleased to give the Royal Assent to the following bills:

An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act (*Bill S-3, Chapter 5, 2007*)

An Act to amend the law governing financial institutions and to provide for related and consequential matters (*Bill C-37, Chapter 6, 2007*)

An Act to amend the Hazardous Materials Information Review Act (*Bill S-2, Chapter 7, 2007*)

The Honourable Peter Milliken, Speaker of the House of Commons, then addressed Her Excellency the Governor General as follows:

May it please Your Excellency:

The Commons of Canada have voted supplies to enable the Government to defray certain expenses of the public service.

In the name of the Commons, I present to Your Honour the following bills:

An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (*Bill C-49, Chapter 3, 2007*)

An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (*Bill C-50, Chapter 4, 2007*)

To which bills I humbly request Your Excellency's assent.

The Honourable the Governor General was pleased to give the Royal Assent to the said bills.

The House of Commons withdrew.

Her Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Senate adjourned until Tuesday, April 17, 2007, at 2 p.m.

---

# THE SENATE OF CANADA

## PROGRESS OF LEGISLATION

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

**(1st Session, 39th Parliament)**

**Thursday, March 29, 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 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	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 + 2 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)				
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

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-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	156 Observations + 3 at 3 <sup>rd</sup> (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	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					
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					
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					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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-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		
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							
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-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) 6/12/13 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					
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					
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-36	An Act to amend the Canada Pension Plan and the Old Age Security Act	07/03/20							
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



No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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-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

## COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	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							
C-277	An Act to amend the Criminal Code (luring a child)	07/03/29							
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					
C-292	An Act to implement the Kelowna Accord	07/03/22							
C-293	An Act respecting the provision of official development assistance abroad	07/03/29							

## SENATE PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	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			
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							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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			
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							
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25	06/12/14	Energy, the Environment and Natural Resources					
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					
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							
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							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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							

## PRIVATE BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-1001	An Act respecting Scouts Canada (Sen. Di Nino)	06/06/27	06/10/26	Legal and Constitutional Affairs	06/12/06	0	06/12/07	07/02/21*	

## CONTENTS

Thursday, March 29, 2007

	PAGE		PAGE
<b>Royal Assent</b>		<b>Transport and Communications</b>	
Notice . . . . .	2023	Budget—Study of Containerized Freight Traffic— Report of Committee Presented. . . . .	2029
<hr/>		Hon. Lise Bacon . . . . .	2029
<b>SENATORS STATEMENTS</b>		Budget and Authorization to Engage Services— Study of Canadian Television Fund— Report of Committee Presented. . . . .	2029
<b>The Honourable Noël A. Kinsella</b>		Hon. Lise Bacon . . . . .	2029
Congratulations on Receiving Chile's Medal of the Senate. Hon. David Tkachuk . . . . .	2023	<b>Human Rights</b>	
<b>Budget 2007</b>		Budget and Authorization to Engage Services—Study of Legal Issues Affecting On-reserve Matrimonial Real Property on Breakdown of Marriage or Common Law Relationship— Report of Committee Presented. . . . .	2030
Provision for Cities. Hon. Larry W. Campbell . . . . .	2023	Hon. Joan Fraser . . . . .	2030
<b>Vimy</b>		Budget and Authorization to Engage Services—Study on Cases of Alleged Discrimination in Hiring and Promotion Practices and Employment Equity for Minority Groups in Federal Public Service—Report of Committee Presented. . . . .	2030
Preparation for One Hundredth Anniversary. Hon. Roméo Antonius Dallaire . . . . .	2024	Hon. Joan Fraser . . . . .	2030
<b>Air Canada</b>		<b>Study on Funding for Treatment of Autism</b>	
Federal Court Ruling Regarding Right to be Served in French. Hon. Serge Joyal . . . . .	2024	Report of Social Affairs, Science and Technology Committee Tabled. Hon. Art Eggleton . . . . .	2030
<b>Agriculture and Agri-Food</b>		<b>A Bill to Amend Certain Acts in Relation to DNA Identification (Bill C-18)</b>	
Canadian Wheat Board—Results of Plebiscite on Marketing Barley. Hon. Terry M. Mercer . . . . .	2025	First Reading. . . . .	2030
<b>Fisheries and Oceans</b>		<b>Criminal Code (Bill C-277)</b>	
Beluga Whale Hunting Quotas. Hon. Willie Adams . . . . .	2025	Bill to Amend—First Reading. . . . .	2031
<hr/>		<b>Official Development Assistance</b>	
<b>ROUTINE PROCEEDINGS</b>		<b>Accountability Bill (Bill C-293)</b>	
<b>Departmental Plans and Priorities, 2007-08</b>		First Reading. . . . .	2031
Report Tabled. Hon. Gerald J. Comeau . . . . .	2026	<b>The Senate</b>	
<b>Agriculture and Forestry</b>		Notice of Motion Urging Government to Engage in Free Trade Negotiations with European Union. Hon. Hugh Segal . . . . .	2031
Budget—Study on Present State and Future of Agriculture and Forestry—Report of Committee Presented. . . . .	2026	Notice of Motion Urging Government to Take Leading Role in Reinforcing Nuclear Disarmament. Hon. Roméo Antonius Dallaire . . . . .	2031
Hon. Joyce Fairbairn . . . . .	2026	<b>United Kingdom Slave Trade Act</b>	
Budget—Study on Rural Poverty— Report of Committee Presented. . . . .	2026	Notice of Inquiry. Hon. Anne C. Cools. . . . .	2031
Hon. Joyce Fairbairn . . . . .	2026	<b>Abolition of Slavery in British Empire</b>	
<b>Bill to Amend the Law Governing Financial Institutions (Bill C-37)</b>		Notice of Inquiry. Hon. Anne C. Cools. . . . .	2032
Report of Committee. Hon. Jeremiah S. Grafstein . . . . .	2026	<b>Budget 2007</b>	
<b>Energy, the Environment and Natural Resources</b>		Health and Social Transfers—Notice of Inquiry. Hon. Wilfred P. Moore. . . . .	2032
Budget—Study on Matters Relating to Mandate— Report of Committee Presented. . . . .	2027	<hr/>	
Hon. Tommy Banks . . . . .	2027	<b>QUESTION PERIOD</b>	
<b>National Security and Defence</b>		<b>Intergovernmental Affairs</b>	
Budget—Study on National Security Policy— Report of Committee Presented. . . . .	2027	Harmony with Provinces. Hon. Céline Hervieux-Payette . . . . .	2032
Hon. Tommy Banks . . . . .	2027	Hon. Marjory LeBreton . . . . .	2032
Budget and Authorization to Travel—Study on Veterans' Services and Benefits, Commemorative Activities and Charter— Report of Committee Presented. . . . .	2028	<b>Finance</b>	
Hon. Joseph A. Day . . . . .	2028	Equalization Payments. Hon. Céline Hervieux-Payette . . . . .	2032
<b>Internal Economy, Budgets and Administration</b>		Hon. Marjory LeBreton . . . . .	2032
Fourteenth Report of Committee Presented. Hon. George J. Furey . . . . .	2028	<b>Treasury Board</b>	
<b>Fisheries and Oceans</b>		Federal Accountability Act—Implementation. Hon. Joseph A. Day . . . . .	2033
Budget—Study on Issues Relating to New and Evolving Policy Framework—Report of Committee Presented. . . . .	2029	Hon. Marjory LeBreton . . . . .	2033
Hon. Bill Rompkey . . . . .	2029		

	PAGE
<b>Privy Council Office</b>	
Appointments Process.	
Hon. Joseph A. Day . . . . .	2033
Hon. Marjory LeBreton . . . . .	2034
<b>Prime Minister's Office</b>	
Appointments to Privy Council and Senate Following Election.	
Hon. Percy Downe . . . . .	2034
Hon. Marjory LeBreton . . . . .	2034
<b>Heritage</b>	
Canadian Broadcasting Corporation—Appointment of Chair of Board of Directors.	
Hon. James S. Cowan . . . . .	2034
Hon. Marjory LeBreton . . . . .	2034
<b>Budget 2007</b>	
Proportion of Gross Domestic Product Allocated to Foreign Aid.	
Hon. Sharon Carstairs . . . . .	2034
Hon. Marjory LeBreton . . . . .	2035
<b>Justice</b>	
Right Honourable Brian Mulroney—Case of Alleged Bribes and Kickbacks.	
Hon. Terry M. Mercer . . . . .	2035
Hon. Marjory LeBreton . . . . .	2035
Hon. David Tkachuk . . . . .	2036
<b>Answer to Order Paper Question Tabled</b>	
Industry—Canada Research Chair Program.	
Hon. Gerald J. Comeau . . . . .	2036
<b>Delayed Answers to Oral Questions</b>	
Hon. Gerald J. Comeau . . . . .	2036
<b>Finance</b>	
Income Trusts—Change in Tax Treatment.	
Question by Senator Grafstein and Senator Mitchell.	
Hon. Gerald J. Comeau (Delayed Answer) . . . . .	2036
Income Trusts—Change in Tax Treatment—	
Income Splitting Proposal.	
Question by Senator Hays.	
Hon. Gerald J. Comeau (Delayed Answer) . . . . .	2037
Registered Retirement Savings Plans—	
Tax Treatment.	
Question by Senator Segal.	
Hon. Gerald J. Comeau (Delayed Answer) . . . . .	2038
<b>National Defence Act</b>	
<b>Criminal Code</b>	
<b>Sex Offender Information Registration Act</b>	
<b>Criminal Records Act (Bill S-3)</b>	
Bill to Amend—Message from Commons . . . . .	2038

## ORDERS OF THE DAY

<b>Business of the Senate</b>	
Hon. Gerald J. Comeau . . . . .	2038
<b>Bill to Amend the Law Governing Financial Institutions (Bill C-37)</b>	
Third Reading.	
Hon. W. David Angus . . . . .	2038
<b>Budget 2007</b>	
Inquiry—Debate Adjourned.	
Hon. Marjory LeBreton . . . . .	2038
Hon. Catherine S. Callbeck . . . . .	2041
<b>Kyoto Protocol Implementation Bill (Bill C-288)</b>	
Second Reading.	
Hon. Lowell Murray . . . . .	2041
Referred to Committee . . . . .	2043

<b>Study on Rural Poverty</b>	
Interim Report of Agriculture and Forestry Committee—	
Debate Continued.	
Hon. Catherine S. Callbeck . . . . .	2043
<b>Scrutiny of Regulations</b>	
Fourth Report of Joint Committee Adopted . . . . .	2045
<b>Agriculture and Forestry</b>	
Budget—Study on Present State and Future of Agriculture and Forestry—Report of Committee Adopted.	
Hon. Joyce Fairbairn . . . . .	2045
<b>Energy, the Environment and Natural Resources</b>	
Budget—Study on Matters Relating to Mandate—	
Report of Committee Adopted.	
Hon. Tommy Banks . . . . .	2045
<b>National Security and Defence</b>	
Budget—Study on National Security Policy—	
Report of Committee—Debate Adjourned.	
Hon. Tommy Banks . . . . .	2045
Hon. Terry Stratton . . . . .	2045
Hon. Lowell Murray . . . . .	2047
Hon. Peter A. Stollery . . . . .	2047
Hon. Sharon Carstairs . . . . .	2047
Budget and Authorization to Travel—Study on Veterans' Services and Benefits, Commemorative Activities and Charter—	
Report of Committee Adopted.	
Hon. Percy Downe . . . . .	2048
Hon. Terry Stratton . . . . .	2048
<b>Human Rights</b>	
Budget and Authorization to Engage Services—Study on Cases of Alleged Discrimination in Hiring and Promotion Practices and Employment Equity for Minority Groups in Federal Public Service—Report of Committee Adopted.	
Hon. Joan Fraser . . . . .	2048
<b>Hazardous Materials Information Review Act (Bill S-2)</b>	
Message from Commons . . . . .	2048
<b>Canadian National Vimy Memorial</b>	
Inquiry—Debate Concluded.	
Hon. Marjory LeBreton . . . . .	2049
<b>Fishing Industry in Nunavut</b>	
Inquiry—Debate Continued.	
Hon. Willie Adams . . . . .	2049
<b>The Senate</b>	
Gender Equality—Inquiry—Debate Adjourned.	
Hon. Terry M. Mercer . . . . .	2049
<b>Business of the Senate</b>	
Hon. Gerald J. Comeau . . . . .	2051
Hon. Roméo Antonius Dallaire . . . . .	2051
Hon. Sharon Carstairs . . . . .	2052
<b>Aboriginal Peoples</b>	
Committee Authorized to Study Recent Reports and Action Plan Concerning Drinking Water in First Nations' Communities.	
Hon. Gerald J. Comeau . . . . .	2052
<b>Human Rights</b>	
Committee Authorized to Extend Date of Final Report on Study of Cases of Alleged Discrimination in Hiring and Promotion Practices and Employment Equity for Minority Groups in Federal Public Service.	
Hon. Joan Fraser . . . . .	2052
<b>Business of the Senate</b>	
Hon. Anne C. Cools . . . . .	2052

	PAGE
<b>Human Rights</b>	
Committee Authorized to Extend Date of Final Report on Study of Legal Issues Affecting On-Reserve Matrimonial Real Property on Breakdown of Marriage or Common Law Relationship.	
Hon. Joan Fraser . . . . .	2052
<b>Foreign Affairs and International Trade</b>	
Committee Authorized to Extend Date of Final Report on Study of Evacuation of Canadian Citizens from Lebanon.	
Hon. Peter A. Stollery . . . . .	2053
<b>Anti-Terrorism Act</b>	
Special Committee Authorized to Extend Date of Final Report.	
Hon. Joan Fraser . . . . .	2053
Hon. Anne C. Cools . . . . .	2053
Hon. Sharon Carstairs . . . . .	2053
<b>Human Rights</b>	
Committee Authorized to Extend Date of Final Report on Study of Issues Related to National and International Human Rights Obligations.	
Hon. Joan Fraser . . . . .	2054

	PAGE
Committee Authorized to Extend Date of Final Report on Study of International Obligations Regarding Children's Rights and Freedoms.	
Hon. Joan Fraser . . . . .	2054
<b>Agriculture and Forestry</b>	
Committee Authorized to Meet During Adjournment of the Senate.	
Hon. Joyce Fairbairn . . . . .	2054
<b>Victims of Crime</b>	
Inquiry—Debate Adjourned.	
Hon. Consiglio Di Nino . . . . .	2054
<b>The Senate</b>	
Motion to Urge Government to Promulgate its Endorsement of the Paris Commitment on Child Soldiers—Debate Adjourned.	
Hon. Roméo Antonius Dallaire . . . . .	2056
<b>Adjournment</b>	
Hon. Gerald J. Comeau . . . . .	2056
<b>Royal Assent</b> . . . . .	2057
<b>Progress of Legislation</b> . . . . .	i





*If undelivered, return COVER ONLY to:*  
Public Works and Government Services Canada  
Publishing and Depository Services  
Ottawa, Ontario K1A 0S5