



CANADA

Debates of the Senate

2nd SESSION

•

39th PARLIAMENT

•

VOLUME 144

•

NUMBER 19

OFFICIAL REPORT
(HANSARD)

Tuesday, December 4, 2007



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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

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

Tuesday, December 4, 2007

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

[Translation]

SENATORS' STATEMENTS

L'INSTITUT UNIVERSITAIRE DE GÉRIATRIE DE MONTRÉAL

LAUNCH OF NEW INTERNET SITE

Hon. Andrée Champagne: Honourable senators, a few weeks ago I was happy and honoured to spend some time at the Institut universitaire de gériatrie de Montréal and to celebrate the official launch of their website, www.aidant.ca.

The completion of this project is a source of great pride for all the partners involved, including Industry Canada, which contributed \$75,000 to help create the Web site, through its *Francommunautés virtuelles* program.

The concept behind this project is another great example of the tremendous opportunities afforded by new information and communication technology in the health and social services fields.

Special events such as this show us how relevant and valuable a program such as *Francommunautés virtuelles* can be. The main objective of this Industry Canada program is to provide financial support for innovative and creative projects that help Canada's francophone and Acadian communities take full advantage of these new technologies.

By supporting innovative French programs, the Government of Canada aims to close the digital divide between francophones and anglophones when it comes to accessing high quality online content, applications and services in French. By so doing, the government is also promoting the development of new French-language media.

• (1405)

Thanks to the aidant.ca project, the University of Montreal's institute of geriatrics will use its website to meet the information and support needs of francophone caregivers, who will be able to contact people working in the health care sector and access the resources they need to care for their relatives.

That same day, I had the great pleasure of seeing Frédéric Back, who is still known to many as "The Man Who Planted Trees." This great animator was the institute's official spokesperson. He is there every day to spend time with his wife, who is still in rehabilitation. Like me, he hopes that the new web-based service will be useful to anyone wondering where to find the help and support they need to succeed at the difficult job of caregiving.

I discussed this with the minister in charge, and I believe that the program will not only be renewed, but will also receive additional funding in the next budget.

In closing, I would like to congratulate everyone who contributed to making this project a reality.

[English]

HALIFAX EXPLOSION

Hon. Sharon Carstairs: Honourable senators, I would like to take you back in time; back 90 years, when this country was in the midst of one of the greatest and far-reaching conflicts of all time. World War I traumatized and changed the face of the world, particularly the Western world. It was responsible for what is arguably the most traumatic event in Canadian history.

In 1917, Canada was at war. The Port of Halifax, in particular, was a nexus of the Canadian war effort. This city of 50,000 people was the hub of the Canadian war effort, and also a focal point for the British Navy. The life-blood of the city was the harbour and the hundreds of convoys and ships travelling back and forth to Europe. As a result, the people and industry of the town clung to the shores of the harbour. Looking out over the water on December 6, thousands of people witnessed two ships that had collided and caught fire. The spectacle drew people out of schools, out of work and out of their homes to watch the excitement. Two thousand people would never be able to tell their stories, six thousand more would be injured, and many would suffer this legacy for the rest of their lives.

Let me put this into perspective: One out of every 25 individuals in the city of Halifax was killed. More than one in 10 was injured. I invite you to take those numbers and apply them to your hometown. Just imagine the consequences. This is what Haligonians suffered in December 1917.

Honourable senators, twice before I have stood in this chamber to ensure these victims would be remembered. We owe this to them. We owe it to the ordinary men and women who were victims of the disaster whose only crime was being in the wrong place at the wrong time. We owe it to the children who never had a chance to grow up and reach their potential. We owe it to the survivors who forever had their lives changed in losing friends, family and community. On a personal note, I owe it to my grandfather who died 90 years ago as a result of the injuries he suffered in the Halifax explosion.

BARKERVILLE

Hon. Lillian Eva Dyck: Honourable senators, in July I had the pleasure of providing opening remarks for the fourth International Conference on Indigenous Education: Asia/Pacific Regions, hosted by the Centre for International Academic Exchange, First Nations University of Canada. Lily Chow, one of the speakers at the conference, told me of the importance Barkerville, B.C., has in Chinese-Canadian history.

Located in the Cariboo region of British Columbia, it is one of the largest historic sites in western North America. Barkerville is rich in Chinese-Canadian history and was established as a gold

mining town in 1862 at the height of the Cariboo Gold Rush. It is the only museum in B.C., if not all of Canada, that retains the characteristics of an early gold mining town.

• (1410)

Barkerville has very good collections of artifacts and interpretive programs that reflect the history of the gold rush period. It commemorates the lives of thousands of people who came from all over the world to search for gold. One of the largest migrations was from Guangdong province in southern China; many came from Kaiping, the area of China that my father came from.

As an historic site and museum, Barkerville's resources are extraordinary. There are 135 heritage structures dating from 1869 standing in the same places they were built. There are two historic cemeteries, as well as large pieces of mining equipment and landscape features such as hydraulic pits, ditches and mine dumps. Barkerville has 187,000 objects, including over 20,000 photographs in its archival collection.

Barkerville has the oldest and largest collection of Chinese buildings and artifacts in North America, including the largest collection of pre-1900 written documents that are specific to North American activities and the oldest Chee Kung Tong building in Canada, which has been nominated for national designation.

Honourable senators, designated as a Provincial Heritage Site in 1958, Barkerville is a national treasure that lives on for all Canadians.

[Translation]

THE LATE RIGHT HONOURABLE ANTONIO LAMER, P.C., C.C.

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, it is with great sadness that I pay tribute to a man who was one of Canada's most eminent jurists and judges, the Right Honourable Antonio Lamer, who died at his home in Ottawa on November 24.

A great defender of rights and freedoms, a leading figure in Canadian justice, and a veritable incarnation of the wisdom of the Charter, Antonio Lamer was appointed to the Supreme Court of Canada in 1980 and became the court's sixteenth Chief Justice in 1990.

[English]

Appointed at a time when elected officials had the last word on Canadian laws, Chief Justice Lamer was among the judges who participated in the legal revolution brought about by the Charter of Rights and Freedoms, helping our system move from the supremacy of Parliament to the supremacy of the Constitution.

[Translation]

Unrivalled in his ability to understand the need to strike a balance between collective interests and individual rights and freedoms, Antonio Lamer not only sanctioned the supremacy of

[Senator Dyck]

the Constitution of Canada, but he also contributed to rulings that made history. From Aboriginal rights to the independence of judges, to the rights of the accused, not to mention the *Reference re Patriation of the Constitution* and the *Reference re Secession of Quebec*, the decisions signed by Antonio Lamer and other Supreme Court judges changed Canadian law and Canadian society forever.

Always committed to human dignity, he emphasized the spirit that drove his desire for justice during an interview. He said:

I often go to bed at night with a single obsession. I wonder whether, somewhere in Canada, there is someone in prison who is innocent.

There is no better way to express what the true philosophy of law should be.

Justice Lamer was a credit to the legal profession throughout Canada. He will be remembered for the real influence he has had on judicial reasoning and on our society, as well as for his intelligence, passion and dedication to the defence of freedom, rights and human dignity.

I would also like to take this opportunity to extend my sympathies to his family for their great loss. I shared many happy times with Mr. Lamer, particularly in Nuevo Vallarta, where I had the pleasure of playing tennis against him, but I will not reveal the score.

• (1415)

[English]

THE LATE JANE RULE, C.M., O.B.C.

Hon. Nancy Ruth: Honourable senators, I would like to reflect on the life of Jane Rule, Member of the Order of Canada, Member of the Order of British Columbia, professor at the University of British Columbia, and a cultural nationalist and lesbian role model for hundreds of thousands of women. Jane died last week on November 27. Jane brought the idea of women loving women into our world in her writing. She exemplified lesbian love in her 46-year relationship with her partner, Helen.

Sandra Martin said in *The Globe and Mail* last week:

She explored the conflict between desire and convention and the constriction that fear can extol on all intimacy, joyfulness and freedom.

The article continued:

... she was part of two huge social and cultural revolutions: the decriminalization of homosexuality and the international ascendancy of Canadian literature.

When Jane came to Canada in 1956, we queers could be charged under the Criminal Code and imprisoned for five years for living our love. Fifty years ago, Canadian literature barely

existed in schools, and rarely were there books by women writers. In universities, CanLit was hardly a discipline, and support for writers and poets was minimal.

Jane Rule's most famous book, *Desert of the Heart*, published by Macmillan in 1964, was scanned for libel issues until the story was almost killed. Thousands of closeted lesbians in North America wrote to Rule as if she was the only person who might understand their lives. Her book contributed to the affirmation of lesbian love and to Canadian literature. This book was written before the second wave feminist movement began in Canada and, as Margaret Atwood said:

Her novels were never tracts, however. What interested her was character, in all its forms. The human-ness of human beings. The richness and unpredictability of life.

Desert of the Heart was made into a movie in 1985. May I suggest that honourable senators obtain a copy of *Desert of the Heart* from your local DVD store this holiday season and understand how thousands of families celebrate love.

CANADIAN CANCER SOCIETY

Hon. Catherine S. Callbeck: Honourable senators, this past Friday I had the privilege of meeting with representatives from the Canadian Cancer Society, including the presidents of each of its three Maritime divisions: Mr. Philip Smith, from my home province of Prince Edward Island; Mr. David Samson, from Nova Scotia; and Dr. Eshwar Kumar, from New Brunswick. Accompanying them was Mr. Rob Cunningham, from society headquarters in Ontario.

The mission of the Canadian Cancer Society is clear: To eradicate cancer and to enhance the quality of life of people living with cancer. It is a mission that is vigorously pursued by 800 employees and more than 200,000 volunteers across the country.

The Canadian Cancer Society has three main priority areas for advocacy this year: First, access to cancer treatment drugs for all Canadians, regardless of where they live or their ability to pay; second, the relationship between environment and health and the public's right to know about cancer-causing agents, product labelling and government's role; and, third, tobacco-related issues, such as contraband, packaging and advertising.

Honourable senators, there is significant cause for concern. Nearly 160,000 Canadians will be diagnosed with some form of cancer this year, and more than 72,000 will die. In Atlantic Canada, both the number of people diagnosed with cancer and the mortality rates are higher than they are in other parts of the country. In P.E.I. alone, the number of cancer cases has increased, while rates have remained stable in Canada as a whole.

I know very few people who have not been touched by cancer in one way or another — either as someone living with it, a family member, a loved one or a friend. However, the good news is that progress is being made and that progress will continue. I commend the Canadian Cancer Society, its staff and volunteers for the difference they are making in continuing their mission to make cancer a thing of the past.

INTERNATIONAL DAY FOR THE ABOLITION OF SLAVERY

Hon. Donald H. Oliver: Honourable senators, December 2 is the International Day for the Abolition of Slavery. Throughout 2007, there have been many commemorations of Britain's 1807 law that outlawed the transatlantic slave trade. It was also on this date in 1949 that the United Nations General Assembly adopted the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

Slavery is a tragic fact that has existed throughout history. The abduction and transport of slaves from Africa to the New World dates back to at least 1562. While the true number will never be known, probably more than 10 million people would have been ripped from their homeland in Africa and enslaved in the Americas. The first recorded name of a black slave in Canada was Mathieu de Coste, a member of the expedition that founded Port Royal in 1605.

Slavery was to persist in Canada for over 200 years until a gradual change in public opinion sparked a flicker of hope for those who had nothing. In 1787, the United States passed the first anti-slavery law in North America. Some six years later, in 1793 under then Lieutenant-Governor John Simcoe, a former slave owner at Hemyock Castle in Upper Canada, this nation began its long legislative road to the abolishment of slavery.

• (1420)

It was not until the British Parliament's Emancipation Act, which came into effect August 1, 1834, that slavery technically came to an end in the Commonwealth.

Unfortunately, that victory was not the end of the battle. Some 173 years later, slavery is still with us. On December 2, the United Nations Secretary-General Ban Ki-moon drew an ugly picture of slavery as it exists today. He stated:

Millions of our fellow human beings continue to live as contemporary slaves, victims of abominable practices like human trafficking, forced labour and sexual exploitation. . . .

Countless children are forced to become soldiers, work in sweatshops or are sold by desperate families. Women are brutalized and traded like commodities. Entire households and villages labour under debt bondage.

It is shameful that in 2007 people continue to live bereft of their basic human rights and freedoms.

Honourable senators, we cannot turn away from their misery. I call upon all of us in this chamber to raise our voices on their behalf and exercise our political might to bring an end, a final and complete end, to slavery in all of its forms. In so doing, let us at last win the battle for freedom.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in the gallery of His Excellency Danzan Lundeejantsan, M.P., Chairman of the State Great Hural of Mongolia. His Excellency is accompanied by

Mr. Chilhaajav Avdai, M.P., Chair of the Mongolia-Canada Parliamentary Group; Mr. Yadamsuren Sanjmyatav, M.P. and Mr. Tuvden Ochirkhuu, M.P.

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

Hon. Senators: Hear, hear.

THE SENATE

INTRODUCTION OF NEW PAGES

The Hon. the Speaker: Before proceeding to the next item, honourable senators, I am pleased to introduce three Senate pages who will be working with us this year.

Rebecca Liu was born in China and has lived in Edmonton, Alberta; Waterloo, Ontario; and finally, St. John's, Newfoundland and Labrador. Rebecca is a certified lifeguard and was the provincial coordinator for the summer work student exchange program. She is in her third year at the School of Management at the University of Ottawa.

[*Translation*]

Jessica McLean is from a small town north of Sudbury. In her community, she has been an anti-smoking activist, she has promoted the French language and she has organized a number of fundraisers. She is in her third year in international studies, with a minor in French, at the University of Ottawa.

[*English*]

Maureen Hasinoff was born and raised in Edmonton, Alberta. Before graduating from high school, Maureen served for two years as a page in the Legislative Assembly of Alberta. She is currently in her first year at the University of Ottawa, studying towards a degree in political science and economics.

• (1425)

ROUTINE PROCEEDINGS

LIBRARY OF PARLIAMENT

FIRST REPORT OF JOINT COMMITTEE PRESENTED

Hon. Marilyn Trenholme Counsell, Joint Chair of the Standing Joint Committee on the Library of Parliament, presented the following report:

Tuesday, December 4, 2007

The Standing Joint Committee on the Library of Parliament has the honour to present its

FIRST REPORT

Your Committee recommends to the Senate that it be authorized to assist the Speaker of the Senate and the Speaker of the House of Commons in directing and

controlling the Library of Parliament, and that it be authorized to make recommendations to the Speaker of the Senate and the Speaker of the House of Commons regarding the governance of the Library and the proper expenditure of monies voted by Parliament for the purchase of books, maps or other articles to be deposited therein.

Your Committee recommends:

- (a) that its quorum be fixed at six members, provided that each House is represented, and a member from the opposition and a member from the government are present, whenever a vote, resolution or other decision is taken; and
- (b) that the Joint Chairs be authorized to hold meetings to receive evidence and to have that evidence published when a quorum is not present, provided that at least three members are present, including a member from the opposition and a member from the government.

Your Committee further recommends to the Senate that it be empowered to sit during sittings and adjournments of the Senate.

A copy of the relevant Minutes of Proceedings (*Meeting No. 1*) is tabled in the House of Commons.

Respectfully submitted,

MARILYN TRENHOLME COUNSELL
Joint Chair

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

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

MEDICAL DEVICES REGISTRY BILL

FIRST READING

Hon. Mac Harb presented Bill S-222, An Act to establish and maintain a national registry of medical devices.

Bill read first time.

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

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

NON-SMOKERS' HEALTH ACT

BILL TO AMEND—FIRST READING

Hon. Mac Harb presented Bill S-223, An Act to amend the Non-smokers' Health Act.

Bill read first time.

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

[The Hon. the Speaker]

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

[Translation]

PERFLUOROOCTANE SULFONATE VIRTUAL ELIMINATION BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-298, An Act to add perfluorooctane sulfonate (PFOS) and its salts to the Virtual Elimination List under the Canadian Environmental Protection Act, 1999.

Bill read first time.

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

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

• (1430)

[English]

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

NEW ENGLAND GOVERNORS AND EASTERN CANADIAN PREMIERS' CONFERENCE, JUNE 25-26, 2007—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Thirty-first conference of the New England Governors and Eastern Canadian Premiers held in Brudenell, Prince Edward Island, from June 25 to 26, 2007.

COUNCIL OF STATE GOVERNMENTS, SOUTHERN LEGISLATIVE CONFERENCE, JULY 14-18, 2007—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Council of State Governments, Southern Legislative Conference, Sixty-first Annual Meeting held in Williamsburg, Virginia, United States, from July 14 to 18, 2007.

THE SENATE

NOTICE OF MOTION TO URGE GOVERNMENT TO ESTABLISH NATIONAL PORTRAIT GALLERY IN NATIONAL CAPITAL REGION

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate urge the government to establish a national portrait gallery in the National Capital Region without delay.

[Translation]

QUESTION PERIOD

PUBLIC WORKS AND GOVERNMENT SERVICES

REPORT ON REVIEW OF GOVERNMENT POLLING

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, on April 11, the Minister of Public Works and Government Services gave former Parti Québécois minister Daniel Paillé the mandate to investigate the previous government's polling and public opinion research practices. Mr. Paillé was given \$1 million and six months to complete his work.

It has now been more than a month since that deadline came and went. Can the minister tell us why the report has not yet been submitted and made public?

Hon. Michael Fortier (Minister of Public Works and Government Services): I thank the Honourable Leader of the Opposition for her question. As I said, Mr. Paillé's report will soon be made public. May I remind you, as I indicated at the time, that Mr. Paillé's budget was under \$1 million, and you will be pleased to learn, honourable senators, that he spent much less than that.

Senator Hervieux-Payette: That is probably the only good news. In fact, I have learned that the Conservative government spent \$31.6 million in 2006-07. That figure is unequalled by any previous government.

We wonder whether the government limited Mr. Paillé's mandate because of how much money it had spent on polling. In light of this, since Mr. Paillé has money left in his budget, will he be able to move on to the next phase and examine the polling the government has done in the past two years?

Senator Fortier: Honourable senators will recall that Mr. Paillé's mandate was both retrospective and prospective. When his report is released, I am certain that the Honourable Leader of the Opposition will be pleasantly surprised at the analyses he has done and the recommendations he makes.

The report tabled on Friday by Public Works and Government Services disclosed what I found to be considerable expenses for polls. That is why the government has announced a moratorium on all polls in every department, beginning today.

As you know, these polls are required by the departments and not by political employees of ministers. In order to impose parameters on polling, the government, effective today, will ask all its departments to refrain from using public funds for polls until further notice.

Senator Hervieux-Payette: It is highly commendable that the government wants to be reasonable in its spending on polls. However, once the Paillé report is tabled, it will need to address the issue. I am sure that honourable senators will be pleased to participate in a committee that could establish future parameters for polls conducted by the government. I understand that the

Privy Council Office, Prime Minister Harper's department, alone has spent \$1.3 million, which is four times more than was spent under the Liberal government of Paul Martin.

• (1435)

I would like the minister to tell us whether the moratorium also applies to the Privy Council.

Senator Fortier: Yes, it will apply to the entire public service until parameters are established for polls commissioned and paid for by the public service.

[English]

NATIONAL CAPITAL COMMISSION

GATINEAU PARK

Hon. Tommy Banks: Honourable senators, my question is to the Leader of the Government in the Senate. It requires an answer on government policy, and I did give notice, so I will understand if the leader takes it as notice.

My question has to do with the government's land management policy in Gatineau Park. In 1988, the Treasury Board decided that all of the lands in Gatineau Park would be added into what is called the National Interest Land Mass, which means that those lands are deemed to be important for the development of the capital region and for the use of future generations.

On July 13 last, the Minister of Transport, Infrastructure and Communities, Lawrence Cannon, allowed in an article in the *Ottawa Citizen* that some of those lands should be sold off, which would be contrary to the 1950 Gréber Plan and to all of the development plans that have existed in the past several decades with respect to Gatineau Park. I note in passing that the Auditor General's report noted that the NCC needed to manage the National Interest Land Mass with more clarity.

Has that question been resolved or determined by the government? Is it the position of the government that it may sell off some or any or all of the lands in Gatineau Park?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I thank the honourable senator for the question and for the courtesy of giving me advance notice and also sending me the newspaper article to which he referred.

The government strongly believes in protecting our national treasures, and that is why we invested an additional \$15 million in the National Capital Commission to ensure that priceless green space stays within the protected mantle of the federal government.

With respect to the status of Gatineau Park, both the Minister of the Environment, Minister Baird, and the minister responsible for the National Capital Commission, Minister Cannon, have publicly committed to ensuring the long-term protection of Gatineau Park.

As you know, in general terms, the government is committed to preserving our environmental and natural green spaces. Recently, the Prime Minister and the Minister of the Environment have made announcements regarding the preservation and protection of many areas across the country. With regard to the federal park,

Minister Baird and Minister Cannon are both on the record as ensuring the long-term protection and preservation of Gatineau Park.

Senator Banks: Honourable senators, I understand that governments of all stripes for the past many decades have said that they are committed to preserving green spaces in Gatineau Park. However, previous governments from time to time have dealt with lands that were thought to be in Gatineau Park in ways which were not consistent with what we would normally assume to be preservation.

Are there any circumstances in which the Government of Canada today would sell or otherwise dispose of lands that are contained within what are now understood to be the present boundaries of Gatineau Park?

Senator LeBreton: Honourable senators, that is a very specific question. I am not aware of any, but I am happy to take that question as notice.

[Translation]

OFFICIAL LANGUAGES

FRENCH-LANGUAGE SERVICES IN PUBLIC SERVICE

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, last week, the Commissioner of Official Languages harshly criticized the government regarding its respect for the Official Languages Act.

Commissioner Graham Fraser said:

At present, the public service is taking a less rigorous, even minimalistic, approach to the Official Languages Act.

Once again, this government is all talk and no action. The commissioner estimates that the active offer of services in French has gone from 24 per cent to 13 per cent in 37 target departments and agencies. At the Ottawa airport, the active offer of services in French is zero per cent.

Can the Leader of the Government tell us what concrete actions the public service will take to ensure that linguistic duality is respected?

• (1440)

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I would be interested to know in what time frame this erosion took place, but, as I have said on many occasions, the government is fully committed to the principle of linguistic duality. We have proven this by taking action on several fronts. Minister Bernier recently attended the Ministerial Conference of the Francophonie, which Canada will now chair for two years. The government committed to conducting public consultation on the future of minority language policy as part of our strategy for the next phase of our action plan on official languages.

[Senator Hervieux-Payette]

The Prime Minister was in Moncton, New Brunswick, yesterday and named former New Brunswick premier Bernard Lord as a special adviser for these consultations across the country. The former premier will report to Minister Verner by mid-January. As I recently said, I believe in answer to a question from Senator Tardif, the government signed a new agreement with the Yukon to support French-language services, under which we will contribute \$3.5 million.

Also, on October 20, Minister Verner announced funding to help the francophone federation of British Columbia prepare and welcome the international francophone community during the 2010 Winter Olympics and Paralympic Games in Vancouver. Of course, with regard to the appointment yesterday of former Premier Lord, this appointment was fully supported and lauded by the Commissioner of Official Languages, Mr. Fraser.

[Translation]

SPECIAL ADVISER FOR THE CONSULTATIONS
ON LINGUISTIC DUALITY AND OFFICIAL
LANGUAGES—APPOINTMENT OF BERNARD LORD

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, my supplementary question concerns the appointment of Bernard Lord as Special Adviser for the Consultations on Linguistic Duality and Official Languages. As André Pratte pointed out today in his *La Presse* editorial, people are wondering why the government wanted to engage the services of Mr. Lord when the Commissioner of Official Languages, Graham Fraser, has already submitted numerous recommendations, one of which was the reinstatement of the Court Challenges Program.

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the Honourable Senator Tardif for her supplementary question. I believe Mr. Fraser supports this — and I am happy that he does so. Bernard Lord has a unique experience in dealing with this matter. Mr. Lord is a good Acadian, although partly a Quebecer. As I have reported here before, Minister Verner is embarking on a program to enhance our commitment to official languages. The appointment of Bernard Lord in no way undermines the work of the Commissioner of Official Languages. Mr. Fraser has a full plate with very specific responsibilities.

In Mr. Lord's case, he will travel around the country meeting with the various stakeholders and people who perhaps would not normally be sought out for their opinion. In my view, and I am sure the senator shares this view, anyone, especially someone of the calibre of Mr. Lord, who can contribute to the advancement of official languages and assist the minister, Minister Verner, should be celebrated and not derided.

[Translation]

Senator Tardif: Will Canadians and parliamentarians have access to Mr. Lord's report?

[English]

Senator LeBreton: Actually, as I said in response to Senator Tardif's first question, Mr. Lord will report to the minister by mid-January and I would expect that, very shortly thereafter, the report would be made public.

[Translation]

Hon. Eymard G. Corbin: Honourable senators, I do not know by what authority Mr. Lord was appointed as a special adviser. Can the Leader of the Government table documents in the Senate confirming his appointment and the terms and conditions governing the execution of his mandate?

• (1445)

[English]

Senator LeBreton: Mr. Lord was appointed as a special adviser to Minister Verner and the government. His actual category is special adviser to the government.

[Translation]

Hon. Pierrette Ringuette: Can the minister also provide the Senate with information about how much Mr. Lord will be paid for his month of work?

[English]

Senator LeBreton: I will take the honourable senator's question as notice.

[Translation]

Hon. Maria Chaput: My question is for the Leader of the Government in the Senate, and it concerns the consultations that Mr. Lord will be undertaking. These consultations will take place between now and mid-December, and Minister Josée Verner stated that the consultations will shape the development of the strategy to determine the next phase of the action plan. This suggests that the government is looking for a new strategy to follow up on what has already been done.

One of the news releases also stated the following:

The discussions will focus on broader themes, such as demographic changes, the economy, new technologies and the modernization of government.

Could these broader themes to be discussed during the consultations become the basis for a new strategy? Will the government develop its community support strategy on the basis of these themes? What will become of what was done during the first phase of the plan? What will happen with education, early childhood education, immigration, the legal system and French-language health services?

[English]

Senator LeBreton: I thank the senator for putting on the record some of the comments in the press release. Minister Verner has taken this responsibility seriously. Mr. Bernard Lord has been named as the special adviser. The government intends for him to consult widely and to report back. The government intends to strengthen, support and increase commitment to official languages, bearing in mind that the demographics of the country have changed.

Mr. Lord will be taking all of this into account. He will not be seeking advice only to say we will not follow it. The intention is the opposite. Mr. Lord is well equipped for this task. He was a premier and knows many people across the country. In his work with Minister Verner, Mr. Lord will quickly put together working groups of people who must be heard in order to formulate a new and modern policy in regard to advancing, quite rightly, the official languages and the linguistic duality of our country.

[Translation]

Senator Chaput: Honourable senators, if I understand correctly, once the consultations are completed, the government will accept the recommendations and priorities that communities have suggested to Mr. Lord. Is that correct?

[English]

Senator LeBreton: We would expect that former Premier Lord will take this special adviser role seriously. We will not send him across the country to speak and consult with people, then not follow his advice.

It only follows that when he submits his report, since we sought his advice, that we would follow his advice.

• (1450)

NATIONAL DEFENCE

COST OF LIVING DIFFERENTIAL

Hon. Roméo Antonius Dallaire: Honourable senators, my question is for the Leader of the Government in the Senate. This question concerns the Department of National Defence.

Fifty years ago, my father, as a staff sergeant, had to take on two extra jobs to be able to feed a family of three in the Canadian army. In 1997, corporals and privates took on extra jobs because they could not feed their families, either. We then entered a series of quality of life increases that were brought in by the previous government.

One of the pillars of that program was the cost of living differential. As a result, troops posted every two to four years across the country are permitted, in high cost of living areas, to receive a supplement to be able to standardize their income. That program is now being cancelled. What sort of cost-savings exercise required the government to cancel such a significant funding program for military families?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I will have to take part of the question as notice. Within the last week or so, this government has announced pay increases for the Armed Forces. I do not know precisely what Senator Dallaire is referring to, but I will be happy to take his question as notice.

Senator Dallaire: Honourable senators, I acknowledge the pay increases. The public service receives pay increases as well, and we thank the government for that.

The government has been so supportive of the troops in the field. The problem is the guy sitting on the lines in Kandahar receiving an email from his wife saying he just lost 1,000 bucks a month in pay because we have chopped this program.

[Senator LeBreton]

Is there an exercise of cost-cutting happening in the Department of Defence? Is it possible that, at a time when the government has announced so many increases, they are actually reducing their budget, or has there been a cut this fiscal year for the Department of Defence?

Senator LeBreton: Honourable senators, I am at a loss. I am not aware of any soldier sitting on the front lines in Kandahar receiving a letter saying that we have cut his pay.

I have no idea what Senator Dallaire is referring to, so I will take the question as notice. Officials will obviously have the honourable senator's comments from the chamber, and the Department of National Defence can respond appropriately.

AFGHANISTAN—TREATMENT OF DETAINEES

Hon. Jane Cordy: Honourable senators, this government denies that it covered up evidence of Afghan authorities abusing and torturing prisoners captured by Canadian soldiers, this despite new documents showing that the government knew of the abuse last spring.

This is a government that pretends to see nothing, to hear nothing, to know nothing. This is another cover-up from a government that pretends to be open and accountable.

Would the Leader of the Government in the Senate tell us why this government continues to cover up incidents, even when documentation will prove their existence?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I actually do not know to what Senator Cordy is referring.

On the issue of Taliban prisoners in Afghanistan, an arrangement in May, as I reported here before, improved upon arrangements made by the previous Martin government in December 2005 regarding the transfer of detained Taliban prisoners and insurgents. This arrangement makes explicit Afghanistan's obligations and includes a provision that Canada and the Afghanistan Independent Human Rights Commission have full and unrestricted access to any prisoner Canada has transferred. The arrangement has been working well.

When allegations are made, there is a process in place to deal with them. During a recent visit, Canadian officials did see a Taliban prisoner in conditions that concerned them — there was no cover-up — and this matter is being investigated according to the arrangements we have with the Afghan government.

Senator Cordy: Honourable senators, according to documents, the government knew about the allegations of abuse last spring. Senior ministers were denying evidence of the abuse while at the same time officials were in Afghanistan obtaining information about the mistreatment. When will this government be up front with Canadians and let Canadians know what is going on?

Senator LeBreton: Honourable senators, I believe I have just answered the question. The government has strengthened the sound arrangements made by the previous government.

• (1455)

There are many news stories of alleged abuses. When allegations are made, there is a process in place to deal with them. In one case, the conditions were such that they concerned officials, and this is being investigated in accordance with the strengthened arrangements we have made with the Afghanistan government.

We take our international obligations very seriously. Clearly, there are challenges in Afghanistan. Canadian Forces personnel, our diplomats and aid workers, alongside their counterparts from other countries and the Afghan citizens themselves, are working to address these issues.

The protocols that are in place are working. We would not want to leave the impression that we are making accusations against our Canadian Forces — or anyone there working on behalf of Canada — that they are in any way involved in the torture of Afghan prisoners.

[Translation]

LEGAL AND CONSTITUTIONAL AFFAIRS

STUDY ON SUPREME COURT RULINGS

Hon. Pierre Claude Nolin: Honourable senators, my question is for the Chair of the Standing Senate Committee on Legal and Constitutional Affairs, Senator Fraser. I notified the chair last week that I would be putting this question to her.

For a number of years, as a result of Supreme Court of Canada decisions, actions that the federal government must take have been accumulating.

Does the Chair of the Standing Senate Committee on Legal and Constitutional Affairs plan to make a systematic review of these decisions and, if so, how is the work going?

Hon. Joan Fraser: Honourable senators, I thank the senator for the question. It is an extremely important question, because Supreme Court decisions are the highest law of the land, except for the Constitution. However, honourable senators are aware that our committee, the Standing Senate Committee on Legal and Constitutional Affairs, can study only what the Senate orders it to study. The Senate has not entrusted the committee with a mandate to conduct such a study. God knows that such a study would be very valuable and falls perfectly within the parameters of our usual studies, but for the time being we have no mandate for a study.

However, honourable senators know that there is a huge number of bills, especially government bills, that will have to be referred to our committee. Bills, particularly government bills, always take precedence over studies.

That said, I believe that the question deserves a follow-up. Certainly, I will consult the members of the committee for their opinion on this, and in the meantime, I can ask the Library of

Parliament to prepare a list of these Supreme Court decisions and the actions that have been taken in response to these decisions.

Senator Nolin: With your permission, honourable senators, I would like to draw your attention to the rather broad mandate of this committee. The *Rules of the Senate* lists a series of responsibilities that include law reform. I believe that the committee — you will discuss this among yourselves — should maintain an ongoing list of decisions and actions to be taken by the government and should report to the Senate more regularly.

I would like to draw honourable senators' attention to something that happened yesterday at the Special Committee on Anti-terrorism. The Minister of Justice agreed — and we must thank him — to move an amendment to a bill relating to a decision that dates back to 2002.

• (1500)

Five years ago the Supreme Court invalidated part of a section of the Criminal Code, and it was Senator Baker's speech at second reading that brought this issue to the attention of the Department of Justice. Yesterday the Minister of Justice said that he would amend the bill.

I think something is not working properly. I believe it is our job and that of the Standing Senate Committee on Legal and Constitutional Affairs to draw this to the attention of senators — and the government, we hope — and to take action when parts of a section are invalidated.

Senator Fraser: It is very important to do this type of thing in the Senate. I will speak about it with the members of the committee.

I would like to say that I am very sorry that Senator Nolin is no longer a member of our committee. It was a rewarding experience for everyone in committee to share in his wisdom and common sense.

DELAYED ANSWER TO ORAL QUESTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting a delayed answer to a question raised by Senator Carney on November 22, 2007, regarding Fisheries and Oceans, Peggy's Cove Lighthouse.

FISHERIES AND OCEANS

PEGGY'S COVE LIGHTHOUSE

(Response to question raised by Hon. Pat Carney on November 22, 2007)

During the weekend of November 3-4, 2007, tropical storm Noel struck Atlantic Canada with hurricane force winds that peaked at 135 kilometres an hour, heavy rains, and waves measuring as high as 10 meters. While damage was not as widespread as Hurricane Juan of 2003, there was significant damage, particularly in certain coastal regions. The Peggy's Cove Major Shore Light, officially referenced as the Peggy's Point lighthouse, suffered some damage during the storm.

Damage Reported:

- A seaward side window of the lighthouse structure was smashed which caused some water infiltration inside the building. The window has been replaced. Departmental officials have assessed the interior of the building and have noted no further damage.
- A concrete walkway that contained the conduit carrying the electrical power for the tower was destroyed by wave action. The storm forces relocated the walkway about 20 feet off its base. There is presently no electrical power to the building. Current preliminary estimates to carry out repairs are in the \$30-50K range.
- The storm also caused considerable undermining to the face of the parking lot with the asphalt collapsing in several areas. The parking lot is not on DFO property.

Steps Taken:

- Canadian Coast Guard staff has installed a temporary replacement solarised light. Early feedback from local mariners is that it is sufficient and they are pleased with the quick action.
- The operational requirements as an aid to navigation are being met.
- A more detailed “levels of service” consultation will take place and any future modifications to Peggy’s Point light will take place based on that consultation.

During the summer months, Canada Post Corporation (CPC) operates a post office in the lower portion of the lighthouse tower under license from Fisheries and Oceans. The operation is typically in place from Victoria Day to Thanksgiving weekend. The Post Office had been closed for the season prior to the storm. Canada Post officials are aware of the damages to the lighthouse and are currently assessing their future needs for this facility.

[English]

ORDERS OF THE DAY

INCOME TAX AMENDMENTS BILL, 2006

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator LeBreton, P.C., seconded by the Honourable Senator Stratton, for the second reading Bill C-10, An Act to amend the Income Tax Act, including amendments in relation to foreign investment entities and non-resident trusts, and to provide for the bijural expression of the provisions of that Act.

[Senator Comeau]

Hon. Grant Mitchell: Honourable senators, I rise to speak on behalf of my caucus on Bill C-10. I actually find myself acting out of character because I think I agree with this bill in principle.

Some Hon. Senators: Hear, hear.

Senator Mitchell: I make that very clear — an established fact that I do repeat; I am acting in pure objectivity as I always do.

However, I do not want honourable senators to get too carried away because I do have some concerns about this bill. I agree with the premise of the proposed legislation that was established by the Leader of the Government in the Senate when she said that this bill makes a contribution to greater fairness in the tax system. As I analyzed the bill, I concluded that it does make a contribution to greater fairness in the tax system. Where we might disagree is on the magnitude of that contribution.

I understand the contribution is made because it limits, to some extent, the degree to which Canadian taxpayers can utilize off-shore, non-residence trusts or other foreign investment entities to avoid paying taxes in Canada that they might otherwise pay. A great deal of progress had been made in that regard by the previous government, but it strikes me that this bill adds to that to some degree.

Having said that, there are some significant and substantive technical concerns with this bill. I have been in discussion with Senator Goldstein, who had confirmed my suspicion in that regard; and I have a letter from a partner with the law firm Thorsteinssons from Toronto, which argues very clearly and eloquently that there is a potential difficulty with the way in which this bill has been written. I am referring to a letter from Paul Gibney of that firm.

In his letter, Mr. Gibney refers to an article by a partner of his in the same firm, James Murdoch, in *Taxation Law*, dated February 2007, regarding discretionary trusts and the FIE rules. I will just refer to that article. This is an interesting example that needs to be considered and hopefully will be given ample consideration by the committee.

Take the hypothetical case of little Emily, 3 years old, born and resident in Canada. Her grandfather, a wealthy man in Hong Kong, has established a discretionary trust for the benefit of his grandchildren. . . . Emily is his only grandchild in Canada, there are 25 others in Hong Kong and elsewhere. The trust was settled with, and has a “cost amount” of \$100 million. . . . On the termination date, the trustees must distribute any capital remaining at that time among the beneficiaries then alive in equal shares per capita.

As the author indicates, that is a critical step.

As there is a possibility of a trust distribution in the future otherwise than as a result of an exercise of discretion. . . . Emily appears to have a specified interest in the trust. As there are no other Canadian-resident beneficiaries, there will be no other taxpayers who can be identified in prescribed form to reduce her designated cost.

She essentially would have to bear the burden of the entire tax cost and she might well never receive anything out of this trust. Even if she did, it is certainly very unlikely that she would receive any amount that would come close to covering the tax bill in this trust.

That is one example of a technical issue. There are other examples that I understand have been brought to the attention of members of the committee. I encourage them to consider those issues in their deliberations, and I am sure they will.

It is not that anybody would resist making the tax system fairer. In fact, in this case, most of us could agree that reducing the ability of certain segments of the population to avoid taxes in a way that is not accessible to others would be seen to be an enhancement in the fairness of the tax system. However, it must be done properly, and this is a complex area. Therefore, we should all be thankful that we have a remarkable Senate committee that can give this matter the sober second thought it deserves and hopefully enhance the process and to ensure that it works properly.

Having said that, I generally disagree that this bill will have the magnitude of impact that Senator LeBreton construed it as having on the overall enhancement of the tax system in Canada. This is a very small bill. I believe that the tax system in Canada could be restructured in many significant ways to achieve much larger, more visionary things that could truly enhance the quality of Canadians' lives more generally and address the major issues that are facing Canadians today.

For example, this bill, as limited as it is, does absolutely nothing to offset the failure of the cut in GST to enhance productivity in our economy. Productivity remains a serious issue in our economy, and the tax structure can be modified. Altered tax policy can, in fact, be utilized to address productivity, but this bill does not do that; and it certainly does not compensate for the lost opportunity in restructuring the tax system for productivity that we saw in the cuts to the GST.

Moreover, this proposed legislation does not in any way, shape or form assist the poor in a way that a properly structured tax regime could. Poverty is a significant issue in this country. While it looks as if, over the last several years at least, general poverty has been reduced, child poverty has not.

Once again, we are looking at an \$11-billion-a-year cut in GST revenues. Such cuts will do nothing for productivity or for the poor. This bill does not compensate for or address those kinds of issues, and that is disappointing.

This bill also does nothing to address what might be construed as a bias against women in our tax system. There are several ways in which the fiscal regime under this government is biased against women. This tax initiative, one of a relatively limited number of tax initiatives by this government, does absolutely nothing to address that important issue that languishes somewhere at the bottom of this government's agenda.

This government is missing the opportunity, once again, to structure tax policy in a way that could motivate individuals and businesses in Canada to do something about climate change, to restructure the way they do their business, the way they conduct their lives to contribute to the reduction in carbon output and

greenhouse gases. There is ample opportunity within the tax structure to create incentives. Among the many others would be the idea of tax neutral shifting of tax applications to discourage environmentally destructive initiatives and to encourage investment in technology to boost income. We could do that in a tax neutral way. We see none of that in this bill. In the absence of anything else, this is about as much as they have, but it is nothing when it comes to addressing significant issues.

• (1510)

We see nothing that addresses the issue of municipal finance — some structured, dependable way of financing our municipalities. Many of us subscribe to the Jane Jacobs theory that an economy is as strong as the economy of its cities. Our cities have serious infrastructural and revenue problems. Nothing in bills like this one or more generally in the government's tax structure policy addresses that important issue.

I learned from a person who came to my office about the problem of students not being able to write off all the interest on their student loans. They are able to write off only 17 per cent of it, whereas an individual who invests in his or her future by investing in a business can write off all the interest on those loans. There is nothing in Bill C-10 that addresses that important issue.

So, yes, I support the principle of the bill, as one can do at second reading, yet I see technical issues that need to be addressed, and I am certain they will be in committee. It is my view that Bill C-10 captures the essential element that I see as lacking in this government. The government is focused — and at times it is okay — on minuscule tinkering at the margins. The government is quintessentially “conservative” because it is limited in its focus on what it can do as a partner with Canadians to build this country. If the government wants to do tax policy properly, it should look at, among other things, tax policy that addresses the significant issues facing Canadians today, such as student financing, so our young people can get the education they need to become the future of this country and its role in the world. The government needs to address municipal finance so that the significant engines of our economy function properly with the infrastructure necessary to support that economy. This government needs to address child poverty because it is shameful for every one of us who live in Canada that we still have such a level of child poverty. We have not yet applied Canada's wealth and privilege in a way that can solve such a corrosive problem in our society. The government's tax policy does not address the environment in the way it should, and it needs to do that. I could go on.

Honourable senators, Bill C-10 reflects what is wrong with this government — its narrow focus and perspective. There is so much more the government could do with tax policy, among other policies, to address the issues confronting Canadians. These issues could be driven by a great vision to make this country even better than it is today and with even greater leadership role in the world than it had two or three years ago when this government took over.

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Comeau, bill referred to the Standing Senate Committee on Banking, Trade and Commerce.

[Translation]

CRIMINAL CODE

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Terry Stratton moved second reading of Bill C-2, An Act to amend the Criminal Code and to make consequential amendments to other Acts.

He said: Honourable senators, I am proud to speak today, at second reading of Bill C-2, which deals with the very important issue of violent crime.

Canadians are worried about how much crime, especially violent crime, there is in their communities. They tell us that they want the federal government to tackle violent crime so that citizens are protected from dangerous offenders who threaten their safety.

[English]

Bill C-2 responds to serious issues that both affect public safety and directly impact on Canadians' confidence in the criminal justice system. This, in my view, is what we see reflected in the preamble to Bill C-2, which says, in part:

[Translation]

Whereas Canadians are entitled to live in a safe society;

Whereas the Parliament of Canada is committed to enacting comprehensive laws to combat violent crime and to protect Canadians while respecting and promoting the values reflected in, and the rights and freedoms guaranteed by, the *Canadian Charter of Rights and Freedoms*;

[English]

The proposed tackling violent crime act reintroduces five criminal law reform bills that died on the Order Paper with prorogation. As a package, Bill C-2 underscores the government's commitment to tackle crime in four key areas: serious gun crimes, cracking down on drug and alcohol impaired driving; protecting youth against sexual predators; and better protecting all Canadians against dangerous and repeat violent offenders.

In respect of the first area, gun crimes, Bill C-2 tackles serious gun crime by strengthening the bail regime and by providing tougher mandatory minimum prison sentences. Bill C-2 changes the bail regime in the following way: An accused charged with a

serious offence involving a firearm, including, for example, attempted murder and sexual assault with a weapon, would be required to demonstrate that his or her release on bail would not pose a threat to public safety or that it would not result in his or her failure to appear in court to face the charge.

Bill C-2 also expands the factors that a bail court must take into consideration in deciding whether detention of the accused pending trial is justified in order to maintain confidence in the administration of justice. Specifically, the court must consider if a firearm was used in the commission of an offence and if the accused faces a mandatory minimum penalty of imprisonment of three years or more for a firearm offence.

Bill C-2 tackles gun crime by legislating escalating mandatory minimum sentences of five years on a first offence and seven years on a second or subsequent offence for eight serious offences committed with a restricted or prohibited firearm or in connection with organized crime, which includes gangs. The eight offences are as follows: attempted murder, discharging a firearm with intent, sexual assault with a weapon, aggravated sexual assault, kidnapping, hostage taking, robbery and extortion.

As well, Bill C-2 puts in place increased mandatory minimum penalties of three years on a first offence and five years on a second or subsequent offence for offences that did not involve the actual use of firearms, such as firearm trafficking or smuggling or the illegal possession of a restricted or prohibited firearm with ammunition.

• (1520)

The second key area is impaired driving. Bill C-2 proposes long-overdue reforms to address impaired driving, which unfortunately remains a serious problem in Canada. The bill does so in three ways: First, it addresses drug impaired driving by proposing the necessary legislative framework for the drug recognition expert, or DRE program. These reforms would permit police to demand roadside physical sobriety tests. Where those tests reveal impairment, but the person is not impaired by alcohol, police could then demand that the person perform other tests administered by a drug recognition expert and to provide a sample of body fluids to be analyzed for the presence of a drug.

Second, Bill C-2 simplifies the investigation and prosecution of the offence of impaired driving. It will restrict "evidence to the contrary" to scientifically valid defences; in other words, absent evidence that the instrument used to measure blood alcohol concentration, or BAC, malfunctioned or was the subject of operator error, a court could not accept testimony by the accused of low alcoholic consumption. For example, if the accused had only consumed two beers, that that would have given the person a BAC reading below 80.

Third, Bill C-2 proposes procedural and sentencing changes. These changes include creating new offences of being "over 80" or refusing to provide a breath sample where the person's operation of the vehicle has caused bodily harm or death.

The third key area pertains to the age of protection. I am sure honourable senators will agree with me that all violent crime is to be abhorred. There can be no doubt that the spectre of the harm posed to our children and grandchildren by sexual and other dangerous offenders causes a fear unlike any other. As parents

and grandparents, as spouses and as neighbours, I am sure we all share the same concern and the same motivation to protect and safeguard those near and dear to us. As parliamentarians, our duty to protect all Canadians against such harm can be no less. This is what the balance of reforms in Bill C-2 address.

Bill C-2 proposes criminal law reforms that will finally say no to adult sexual predators who seek to sexually exploit young, vulnerable persons. The bill proposes to increase the age at which young persons can consent to engage in sexual activity with another person aged 14 to 16 years. Once Bill C-2 comes into force, there will no longer be any doubt. A crime of sexual assault will have been committed whenever an adult five years or more older than a 14- or 15-year-old engages in sexual activity with that young person.

Importantly, Bill C-2 includes a close-in-age exemption to prevent the criminalization of consensual sexual activity between teenagers; that is, between the 14- or 15-year-old and a partner less than five years older.

This proposed legislation also provides two other exceptions for 14- and 15-year-olds who are married to a partner who is five years or more older or with whom they are already living in a defined common law relationship when the new age of protection comes into force.

The fourth key area relates to dangerous and high-risk offenders. Bill C-2 proposes reforms to address dangerous and repeat violent offenders. These proposals are designed to address concerns with respect to the ability of police, Crown prosecutors and the courts to sentence and manage the threat posed to the general public by individuals of very high risk to re-offend sexually and violently.

Under Bill C-2, where an offender is convicted of a third sufficiently serious offence, the Crown must formally advise the court that they have considered whether to bring a dangerous offender application. This "declaration" requirement is intended to ensure more consistent use of the dangerous offender sentence by Crown counsel in all jurisdictions, although it is certainly not intended to be binding on either the Crown or the court. Bill C-2 does not seek to arbitrarily fetter the discretion of the Crown or the court.

Where the Crown decides to bring such an application, an offender convicted of a third "primary designated" offence will be presumed to be a dangerous offender unless he can prove otherwise. This list of triggering offences is deliberately narrow and proportionate, reflecting the 12 most serious and dangerous offences that commonly trigger a dangerous offender designation.

Bill C-2 also proposes reforms to ensure that persons designated a dangerous offender are appropriately sentenced. Under this bill, wherever the offender is held to meet the dangerous offender criteria, he must be designated as a dangerous offender and this designation is for life. Bill C-2 would then require the court to impose an indeterminate sentence unless it is satisfied that the offender can be managed under a less severe sentence. As a result, it will be more difficult for offenders to escape the dangerous offender designation.

When a dangerous offender is given a lesser sentence, such as a long-term supervision order, Bill C-2 would make it easier to deal with such an offender who breaches a condition of that order

before he commits another serious or violent offence. Specifically, where such an offender is convicted of breaching a condition of his long-term supervision order, for example, for breaching its curfew, alcoholic prohibitions or treatment conditions, he could be brought back for a new dangerous offender hearing. He will be given an indeterminate sentence unless the court is satisfied that the offender can still be managed under a lesser sentence.

Bill C-2 also proposes to double from one to two years the duration of the Criminal Code's peace bonds or protective court orders against offenders who have been previously convicted of a sexual offence against a young person, under the higher age of protection of 16 years also proposed by Bill C-2, or of a serious personal injury offence.

In addition, Bill C-2 would provide specific authority for the court to include conditions in these peace bonds that the court considers desirable to secure the good conduct of the defendant including, for example, regarding curfews, electronic monitoring, and drug and alcohol prohibitions and treatment, as well as any other condition that the court feels is necessary to ensure public safety.

Honourable senators, Bill C-2 proposes an extensive set of criminal law reforms, the objective of which is to better protect Canadians in their homes and their communities.

I believe that public safety is a priority issue for all, and thus urge all honourable senators to support the passage of this bill.

Hon. John G. Bryden: Honourable senators, I do not wish to debate at the moment, but I want to make a comment. I was late for the beginning of Senator Stratton's speech, but I heard most of it. I will read it with interest and with very careful analysis. The old-fashioned winters are back which is why I am late.

With that, Mr. Speaker, I would like to take the adjournment of the debate.

Hon. Pierre Claude Nolin: Honourable senators, the Minister of Justice and the Prime Minister spoke about no amendments to this bill. Will we study the bill and will amendments be accepted or will we be able to introduce amendments if we see fit?

Senator Stratton: The responsibility of this chamber is to examine the bill in detail. Judgments will be made thereafter.

Hon. Joan Fraser: Honourable senators, a reference is made in the bill to the exception for sexual relations of people more than five years older than the 15- or 16-year-old. An exception is to be made if the teenager is married to the older person. I realize that this subject is beyond the purview of this bill and raises other issues, but I cannot let the matter go without asking if the honourable senator believes it is appropriate for persons aged 14 to be married in this country.

• (1530)

Senator Stratton: As Senator Nolin has pointed out, marriage is a provincial jurisdiction. Regarding my personal beliefs about 14-year-olds marrying, I am not going there.

On motion of Senator Bryden, debate adjourned.

NATIONAL BLOOD DONOR WEEK BILL

THIRD READING

Hon. Claudette Tardif moved third reading of Bill S-220, An Act respecting a National Blood Donor Week.—(*Honourable Senator Eggleton, P.C.*)

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

Hon. Senators: Question.

Motion agreed to and bill read third time and passed.

PERSONAL WATERCRAFT BILL

SECOND READING—DEBATE ADJOURNED

Hon. Mira Spivak moved second reading of Bill S-221, An Act concerning personal watercraft in navigable waters.—(*Honourable Senator Spivak*)

She said: Honourable senators are being asked for the sixth time to consider this bill for second reading. This chamber has already granted its predecessor bills third reading on four occasions: October 2003, May 2004, November 2005 and June 2007. I am nothing if not the champion of lost causes.

From the outset, nothing of substance in this bill has changed, nor has anything changed in the way personal watercraft are used. If anything, these machines have only become more powerful and, in some circumstances, more dangerous to other users of the waterway and to the environment.

I was very pleased to see the second report of our Standing Committee on Rules, Procedures and the Rights of Parliament, which was presented last month and which proposes a mechanism for the reinstatement of bills from the previous session of the same Parliament.

Predecessor bills were introduced twice in the House of Commons, where they received the support of members of three of the four parties. A predecessor bill was not introduced last June, as the House was in recess when we at length gave this bill third reading. As a result, the 60-day rule does not apply.

I sincerely hope that we will not see debate on our own proposed reinstatement rule adjourned and delayed to the point that we do not have the opportunity to vote on it. As one of many who, as Senator Keon observed, have felt “some frustration” at having to reintroduce, re-debate and re-study a bill time and again, I sincerely hope senators will support the rule change.

Senators Carney’s heritage lighthouse protection bill is now in its seventh incarnation. Senator Murray recently spoke to that bill, suggesting that to stall it again would be an affront to Parliament. He proposed clause-by-clause consideration in Committee of the Whole and an expedited third reading, or a pro forma reference to committee, where no more than one sitting would be required.

On this bill, Bill S-221, I would prefer clause-by-clause consideration in Committee of the Whole; however, of course, I would hope that any alternative method would be speedy.

Another parallel exists between the heritage lighthouse protection bill and the personal watercraft bill. The former creates a process through which public opinion may be brought to bear on the government with regard to the designation and protection of lighthouses.

Bill S-221 creates a mechanism through which community opinion may be brought to bear on the government’s designation of areas where personal watercraft may be used. Local knowledge of local waters can determine where PWCs are safe to use and where they pose too great a hazard to safety or to the environment.

Both are populist bills. Both recognize that communities have wisdom deserving of the respect of official Ottawa.

I sincerely hope honourable senators also believe that it will be in the best interests of this chamber to respect the considerable time and energy that many speakers, witnesses and committee members have devoted to this bill and that honourable senators will send Bill C-221 expeditiously to the other place.

On motion of Senator Comeau, debate adjourned.

HERITAGE LIGHTHOUSE PROTECTION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carney, P.C., seconded by the Honourable Senator Nolin, for the second reading of Bill S-215, An Act to protect heritage lighthouses.—(*Honourable Senator Comeau*)

Hon. Catherine S. Callbeck: Honourable senators, although this bill stands in Senator Comeau’s name, he has agreed that I may speak at this time and adjourn the debate in his name.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Provided I have the 45 minutes.

Senator Callbeck: I shall be very brief.

The Hon. the Speaker: Senator Comeau is asking that he continue to be recognized as the second speaker and have the 45 minutes, and is yielding to Senator Callbeck with that understanding.

Is that agreeable, honourable senators?

Hon. Senators: Agreed.

Senator Callbeck: Honourable senators, I want to speak briefly on Bill S-215, Senator Carney’s legislation regarding the protection of heritage lighthouses.

As we all know, this bill provides for the protection and preservation of federally owned lighthouses by designating them as heritage lighthouses, and ensures public consultation and

public notice before changes are made to the structures. Finally, the bill requires that all lighthouses designated as heritage sites must be properly maintained.

I support sending Bill S-215 to committee for study as quickly as possible. This legislation, in similar forms, has been introduced in the Senate more than five times since 2002. However, each time its progress has been disrupted by elections or prorogations, leaving the bill to die on the Order Paper and needing to be reintroduced again and again.

Coming from a province like Prince Edward Island, surrounded by water, we Islanders well understand the vital importance of our lighthouses. They have served as beacons of safety to wayward sailors, leading them to their home ports, not only in my province but in coastal areas across the country.

In my home province of Prince Edward Island, more than 50 lighthouses dot the landscape. They are an integral part of Prince Edward Island's story. I should like to point out that lighthouses are even playing an important role in the economic development of our rural areas. These lighthouses serve as symbols of maritime life; some have even been transformed into tourist destinations, allowing Islanders to share their stories with people from away.

For example, the lighthouse in West Point, Prince Edward Island's tallest lighthouse, offers an inn, restaurant and museum. Point Prim is the location of Prince Edward Island's oldest lighthouse, where visitors can climb 80 feet to the top of this unique round brick lighthouse.

• (1540)

The Cape Bear Lighthouse houses one of seven Marconi wireless stations. It is believed to be the first Canadian land station to receive distress signals from the *Titanic*.

There is certainly a lot of history to be explored in our Island lighthouses.

Honourable senators, our lighthouses stand as proud testament to our history as a country. They are part of our shared heritage and we should do what we can to preserve that heritage. I hope that this bill can be referred for study by committee as quickly as possible.

Hon. Lowell Murray: Honourable senators, I take it that the Deputy Leader of the Government will move the adjournment of the debate again. I hope he listened, as I am sure he did, with respectful attention to Senator Callbeck's speech — especially her point about the importance of lighthouses in bringing wayward sailors home. I am sure the honourable senators knows some wayward sailors in his own part of Nova Scotia and will agree that it is something to be devoutly wished.

Because I offered the other day to help Senator Comeau with his speech and he has declined so far, can the honourable senator give us a bit more specificity about the date of his own intervention? I should say that Senator Carney's trade is that of a writer and she, too, would be willing to contribute a few one-line zingers for his consideration.

Senator Comeau: I wish to thank Senator Murray for his offer. I listened carefully to Senator Callbeck's comments, especially about the value of lighthouses to sailors. However, I would like to

remind Senator Murray that this bill has nothing whatsoever to do with protecting lighthouses that exists for the protection of sailors. This bill is about heritage lighthouses. I think Senator Murray knows that I have been around long enough to tell the difference between a lighthouse that is there to protect wayward sailors and a lighthouse that is there as part of heritage.

On the issue of heritage lighthouses, which is what this bill is all about, we do have —

The Hon. the Speaker: Honourable senators, I am afraid that, while interesting, we are slipping beyond the normal procedures of debate. This is Senator Callbeck's time. We are now at debate and we hear no debate. I take it to be the intent of the house that the matter will stand adjourned in the name of Senator Comeau. Is it agreed?

Hon. Senators: Agreed.

On motion of Senator Comeau, debate adjourned.

[Translation]

NATIONAL PHILANTHROPY DAY BILL

SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Dallaire, for the second reading of Bill S-204, An Act respecting a National Philanthropy Day.—(*Hon. Senator Champagne, P.C.*)

Hon. Andrée Champagne: Honourable senators, I ask for your indulgence. I did not realize that we were so close to the end of the time allowed for this item to remain be on the Order Paper and Notice Paper, and I would very much like to participate in the debate. I wish to adjourn the debate in my name in order to speak in the next few days.

The Hon. the Speaker: Honourable senators, Senator Champagne is seeking leave to adjourn the debate in her name for the time remaining. Is that agreed?

Hon. Senators: Agreed.

Order stands.

[English]

FOOD AND DRUGS ACT

BILL TO AMEND—SECOND READING— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Day, for the second reading of Bill S-206, An Act to amend the Food and Drugs Act (clean drinking water).—(*Honourable Senator Cochrane*)

Hon. Ethel Cochrane: Honourable senators, I realize that this is the thirteenth day that this item has stood on the Order Paper. I wish to ask for the indulgence of honourable senators and inform them that I am still working on my text. Weather conditions — as Senator Bryden indicated earlier — and other items have interfered with my planning. I should like to have this bill adjourned in my name.

The Hon. the Speaker: It is moved by the Honourable Senator Cochrane that this item be adjourned in her name for the rest of her time.

Is it agreed, honourable senators?

Hon. Senators: Agreed.

Order stands.

PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Serge Joyal moved second reading of Bill S-212, to amend the Parliamentary Employment and Staff Relations Act. —(*Honourable Senator Joyal, P.C.*)

He said: Honourable senators, I wish to use the opportunity this afternoon to speak in support of Bill S-212 in the context of the inquiry that appears on the Order Paper on page 8, which calls the attention of the Senate to the twenty-fifth anniversary of the Canadian Charter of Rights and Freedoms.

In the First Session of the Thirty-ninth Parliament, Honourable Senator Segal drew our attention to the twenty-fifth anniversary of the Charter this year. He made a number of suggestions in his speech. On the Order Paper at page 19, under the heading of “Motions,” at No. 62 you will find a motion introduced by our colleague the Honourable Senator Andreychuk. It is most opportune that the motion calls the attention of the Senate to refer to the Standing Committee on Rules, Procedures and the Rights of Parliament the issue of developing a systematic process for the application of the Canadian Charter of Rights and Freedoms as it applies to the Senate of Canada.

It is opportune, honourable senators, because it might be unknown to some of you that the Charter of Rights does not apply to the employees of the Senate. Up to two years ago, following a recent decision of the Supreme Court in May 2005, the other place challenged even the Canadian Human Rights Act being applicable to the employees of the Parliament of Canada.

After so many years of implementation of the Canadian Charter of Rights and Freedoms for all Canadians in all provinces and territories, and with all the protection that the courts have been able to identify in support of and to the benefit for Canadians, employees of Parliament should have the same kind of protection as average Canadians.

How did this issue come to the knowledge of the court? Why do we find ourselves in that situation today? I remind you,

honourable senators, that this stemmed from a case introduced in the other place by Mr. Vaid. Mr. Vaid was the former driver of a previous Speaker in the other place, whose employment was terminated. Mr. Vaid, a citizen of colour, claimed he was discriminated against. He filed a complaint with the Canadian Human Rights Commission, which studied his complaint, found that it was worthwhile and sent it to the Canadian Human Rights Tribunal.

When the Canadian Human Rights Tribunal received the complaint, the lawyer for the other place claimed that the Canadian Human Rights Act was not applicable because the positions of the employees of Parliament are privileged. What does that mean? It means that they are not protected by the same legislation as average citizens. Again, the lawyers for the other place claimed that it was no protection for any employees of Parliament.

• (1550)

How many employees of Parliament are there? Honourable senators, there are approximately 5,000.

I will give you the categories of those employees. In the Library of Parliament, there are 400 employees. The Senate employs 605 people. The House of Commons has 2,033 employees. The MPs themselves have 1,927 employees. The total is 4,965 employees. That number does not include the contractual employees.

What was the allegation in the other place in relation to the employees of Parliament? The other place claims that the Canadian Human Rights Act does not, directly or indirectly, protect 5,000 employees. That was the position taken by the lawyers of the other place.

Some senators on both sides of this chamber were very concerned with that case because, as you know, a decision of the court binding on the status of the other place has an immediate application in this place. We were concerned that the court would deliberate on such a question without this chamber having the opportunity to argue our principal position.

Our principal position was that in fact the Canadian Human Rights Act should protect most of the employees of Parliament because the Canadian legislature, through our day-to-day deliberations, has the responsibility to ensure that the Canadian Charter of Rights and Freedoms and the Constitution are respected and are above any suspicion. We must ensure that we are an exemplary chamber in relation to the protection of the basic and fundamental human rights of all employees of this Parliament.

Some senators thought we should go to the Supreme Court and plead our case inasmuch as the other place went to the Supreme Court of Canada to plead its case.

Senator Jaffer and I sought the status of intervenor in the Supreme Court and went there to plead our case. It seems to be a fair principle to allege that the Canadian Human Rights Act is applicable to the employees of Parliament.

The Supreme Court decided that the Canadian Human Rights Act protects most of the employees of Parliament. However, the Supreme Court stated that if employees want to seek redress, they must go through the grievance procedure that is contained in an act of Parliament called the Parliamentary Employment and Staff Relations Act. The act addresses the labour status of the employees and staff of Parliament and was adopted in 1985 by both Houses and, of course, it is a statute of our Parliament.

In other words, if an employee such as Mr. Vaid, former driver of the Speaker, alleges discrimination, he or she must go to the grievance procedure of the Parliamentary Employment and Staff Relations Act. In its unanimous decision, the Supreme Court — and it was a nine-bench decision, very compelling in terms of its decision — went to great lengths to define the employees that are privileged.

What do we mean by that constitutional jargon? An employee who is privileged is an employee who cannot go to court to seek the redress that an average citizen would have of the benefit of the protection of the court. The Supreme Court decided that there are some employees of Parliament who are privileged; they are so closely associated with the deliberative and legislative function of the chamber that if they have a grievance they cannot go to court to seek redress.

The court identified the principle of how to define privileged positions in the Senate chamber or in the House of Commons chamber. The court gives some examples, one being the clerks. We have three clerks at the table. There are many more clerks in the staff of the Senate. The court identified the clerks of the Senate because they are closely associated with our deliberative and legislative function on a day-to-day basis; but the security guards in the corridors at the front and back of this chamber are not privileged because they are not closely associated with the deliberative and legislative function of the Senate.

The same is true of your employees, secretaries and assistants. They are not directly linked to the deliberative and legislative function of the Senate. In other words, the court adopted a very restrictive definition of the “privileged” position in the Senate. They did not want to include, as the other place argued, the 5,000 employees of Parliament. For instance, in the court’s mind, the parliamentary restaurant employees are not directly associated with the deliberative and legislative function of the Senate. They might be essential to us because we need to eat three times a day to assume our legislative and deliberative function, but they are not directly linked to the deliberations per se.

You will understand that the court saw the problems but created another problem, I would say almost bigger than the one that it tried to solve. What is the problem? By stating that the employees of Parliament are protected by the Canadian Human Rights Act, but by channelling the grievance of those employees under the Parliamentary Employment and Staff Relations Act, they immediately open up the question of the process of protection for a grievance under that act. In the Canadian Human Rights Act, a person who has a grievance — for example, a public service employee alleging discrimination — has another protection, well established by our own Parliament in 2003, in the Public Service Labour Relations Act. When a member of the public service feels discriminated against, he or she can file a

grievance procedure under the Public Service Labour Relations Act. This act, which is recent — 2003 — provides very clearly that the Canadian Human Rights Commission can intervene in support of the employee, take a formal stand in the grievance and even support compensation and reinstatement of the employee with expenses and so on.

In other words, if you are an employee of the public service, you are well protected, but if you are an employee of Parliament, you do not enjoy the same protection as the employees of the public service.

In the first initiative that I discussed with Senator Andreychuk, we agreed that we should look into amending the Parliamentary Employment and Staff Relations Act to give to our employees the same protection as enjoyed by employees of the public service. It seems to make sense that if the Human Rights Commission can intervene to support an employee of the public service from whatever department, the same commission should be open to intervene in support of an employee of Parliament, whether a member of the security force or of any of the other related services of Parliament.

That left the questions open, as raised in the motion of Senator Andreychuk, that we have to take into account the other aspects of how to implement in this chamber and the other chamber the Canadian Charter of Rights and Freedoms. The court has stated very clearly that it is not for the court to decide how that will be done. In other words, if a member of the staff of the Senate who occupies a privileged position feels that he or she is discriminated against, that person cannot appeal to any court, cannot appeal to the Human Rights Commission, and cannot appeal to the Parliamentary Employment and Staff Relations Act. The person is left with absolutely no recourse, except to raise the issue in the paper to make a case, or try to file a petition through letters to honourable senators in the chamber to seek redress.

• (1600)

I welcomed Senator Andreychuk calling upon the Senate to refer to the Standing Committee on Rules, Procedures and the Rights of Parliament the issue of developing a systematic process for the application of the Charter of Rights and Freedoms as it applies to the Senate of Canada in the first session of this Parliament. We had discussions in the first session of this Parliament, honourable senators, and at that time we agreed at second reading on the bill I am proposing today. We agreed with Senator Andreychuk’s motion and sent the bill to the Standing Committee on Rules, Procedures and the Rights of Parliament. We hope that the committee will look into the matter and come back to us with a recommendation on how to act in order to correct the vacuum that exists since the Supreme Court of Canada ruling in the *Vaid* case more than two years ago. It is extraordinary that, after 25 years of the Charter of Rights and Freedoms in Canada, we find ourselves more or less in a vacuum in relation to the Charter and Canadian human rights. This is not the way we like to appear as the Parliament of Canada and as an exemplary chamber.

Honourable senators, that is the substance of the bill I am introducing at second reading today and my support of the motion brought forward by Senator Andreychuk. Thank you, honourable senators.

On motion of Senator Andreychuk, debate adjourned.

CRIMINAL CODE

BILL TO AMEND—SECOND READING— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Lapointe, seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-213, An Act to amend the Criminal Code (lottery schemes).—(*Honourable Senator Tkachuk*)

The Hon. the Speaker: Honourable senators, I wish to advise that the Honourable Senator Massicotte had made a written declaration of private interest regarding Bill S-213, An Act to amend the Criminal Code (lottery schemes), which is currently before the Senate. In accordance with rule 32.1, the declaration shall be recorded in the *Journals of the Senate*.

Order stands.

[Translation]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— ORDER STANDS

On Order No. 5, Commons Public Bills:

Second Reading of Bill C-299, An Act to amend the Criminal Code (identification information obtained by fraud or false pretence).—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have not had the chance to prepare my speech on this matter. I would like once again to adjourn the debate in my name.

Order stands.

[English]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

THIRD REPORT OF COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the third report of the Standing Committee on Rules, Procedures and the Rights of Parliament (amendments to the *Rules of the Senate*—questions of privilege and points of order), presented in the Senate on November 20, 2007.—(*Honourable Senator Keon*)

Hon. Wilbert J. Keon moved the adoption of this report.

He said: Honourable senators, the third report of the Standing Committee on Rules, Procedures and the Rights of Parliament was first presented to the Senate in the First Session of the Thirty-ninth Parliament as the fourth report of the Rules

Committee. It had been debated but not come to a decision. The third report recommends amendments to the *Rules of the Senate* with respect to questions of privilege and points of order.

Honourable senators, you will recall that on October 26, 2006, the Speaker delivered a ruling dealing with the process of raising questions of privilege in the chamber and the level of detail required in the written and oral notices to raise a question of privilege under rule 43. The Speaker ruled that notice of questions of privilege should clearly identify the issues that will be raised as a question of privilege. In delivering this ruling, the Speaker noted an apparent inconsistency between rules 43 and 59(10) insofar as the two provisions deal with the notice required for question of privilege.

The Speaker also noticed that, while some of the *Rules of the Senate* and operating documents might be interpreted differently, a careful reading of the *Rules of the Senate* provides that Senators' Statements are not part of Routine of Business and, as such, points of order could be raised during Senators' Statements.

The Speaker invited your committee to look into these matters. The report of the committee recommends three main changes to the *Rules of the Senate*.

First, in accordance with the ruling of the Speaker, the committee recommends that it be made explicit in the *Rules of the Senate* that notices of questions of privilege give senators an indication of the subject and the general nature of the issue to be raised.

Second, the committee recommends that rule 59(10) be deleted. As the Speaker explained in his ruling, this rule is linked to the pre-1991 provisions of the *Rules of the Senate*. The committee suggests, however, that rule 59(10), the purpose of which is to allow matters that occur during a sitting of the Senate to be dealt with forthwith, be maintained, and recommends adding a new subsection to rule 43 to provide for such cases.

Third, the committee recommends that the *Rules of the Senate* be amended in order to prohibit points of order during Senators' Statements, as it is already the case during Routine of Business and Question Period.

Rule 59(10) has a history pre-dating the 1991 changes to the rules. Prior to 1991, the Speaker had no defined role in determining prima facie if a question of privilege had merit. These matters were left to the Senate itself to work out.

The Speaker's role, as defined in rule 43(12), is an innovation of the 1991 revision. Therefore, it is technically correct to argue that one interpretation of the rules as they stand now might be that a question of privilege raised under the conditions of 59(10), such as those raised in the heat of the moment to deal with an alleged breach of privilege during a sitting of the Senate, would not fall to the Speaker automatically for consideration of its prima facie merits. Consideration of its prima facie merits would not automatically fall to the Speaker.

• (1610)

Given the 16 years of experience with rule 43 and the institutional expectation that the Speaker would be asked to apply the test prescribed by the rules to determine the merits of a

question of privilege, it appears only proper to clarify matters by including the provision of 59(10) within rule 43 with the rest of the rules relating to privilege. This would also serve to clarify the role of the Speaker.

The provisions for considering a question of privilege acknowledge the importance placed on the protection of those privileges. Accordingly, we allow for these initial discussions to take place so they can be brought to our consideration promptly without having to wait for the usual notice period for the substantive motions.

If it is determined that there appears to be a breach of privilege, then a senator is permitted to move a motion immediately rather than putting their motion on the Order Paper. The role of the Speaker in assisting the Senate in that specific determination as to whether a breach of privilege appears to have been committed has been a reasonable way to resolve the question. This seems to be a sensible and orderly approach.

After careful consideration, the committee believes these changes are appropriate and necessary, and hopes that honourable senators will concur with the report.

Some Hon. Senators: Hear, hear.

Hon. Anne C. Cools: Will the honourable senator take a question?

Senator Keon: Yes.

Senator Cools: The honourable senator says that the initiative for these rule changes seemed to have come from the Speaker. I have no recollection of the Speaker leaving the chair to go to his seat to make a motion sending this question to the committee.

Would the Chair of the Standing Committee on Rules, Procedures and the Rights of Parliament explain what process was used for the Speaker to refer this question to the committee?

Senator Keon: Honourable senators, I do not recall whether or not the Speaker made a motion. I know the Speaker referred this to the committee, or the Senate referred it to the Standing Committee on Rules, Procedures and the Rights of Parliament upon the Speaker's recommendation. I do not know, nor do I recall. I would have to review the documents. Once I have done so, I will inform honourable senators.

Senator Cools: I do not know how the honourable senator will provide me with an answer.

My understanding of the process is that there is no method by which the Speaker can refer any matter to a committee. The Speaker of the Senate is, as we know, a different constitutional creature than the Speaker of the House of Commons. The Speaker is free at any moment to leave the chair to participate in debate and, as a full-fledged member of the Senate, he or she is free to make motions and act as a full-fledged senator.

The process for the Speaker is no different from that of any other member. I ask the honourable senator to keep that in mind.

I have another question.

Senator Keon: My interpretation, honourable senators, was that the ruling of the Speaker was taken under advisement by the Senate, and the Senate referred the matter to the Standing Committee on Rules, Procedures and the Rights of Parliament. The ultimate authority lies with the Senate, not with the Speaker.

Senator Cools: I observed that Mr. Charles Robert appeared before the committee as a witness. Could the honourable senator please tell me in what constitutional capacity Mr. Robert appeared if, as the honourable speaker says, all of this is at the motion of the Speaker?

Senator Keon: I believe Mr. Robert was simply giving expert advice; however, I do not fully understand the honourable senator's question. Is she referring to when Mr. Robert advised the committee?

Senator Cools: No, I am speaking about his appearance before the committee and making proposals on the record. In other words, was he appearing as a representative of the Speaker?

Senator Keon: I believe he was appearing as an adviser to the committee.

Senator Cools: Could the honourable senator tell me, then, what the difference is? If Mr. Robert was appearing as an adviser to the committee, how can you say that this entire matter has its origins in the Speaker's ruling?

There is a mysterious Speaker's ruling at play here: The Speaker makes a statement, the subject matter suddenly appears within the committee and the table officer appears as the only witness. I find all of this rather odd.

I do not think the honourable senator has understood or answered my question. I am not sure if Mr. Robert is an adviser to a committee. I view him as a member of our staff; as a table officer. If an adviser appears before a committee, he should not then proceed to speak as though he represents the Speaker. That is very odd. Perhaps we should review the matter.

Honourable senators, I am aware that the committee has its own initiative. I am aware that the Standing Committee on Rules, Procedures and the Rights of Parliament has a capacity, on its own initiative, to bring forth proposals. This was clearly not the initiative of the committee, and the honourable senator has said as much in his remarks. Could the honourable senator perhaps review the matter?

Senator Keon: Honourable senators, I will review the matter. As Senator Cools has stated, the rules state that the committee has the capacity to bring forth a matter such as this on its own. I will retrace the steps of the process and try to inform the honourable senators as best I can.

Senator Cools: This is a most interesting situation, honourable senators. The Speaker cannot simply delegate anyone to appear before a committee to explain himself or his rulings. I have a few problems with that. It is crystal clear from reading the records that this proposal is not an initiative of the committee, but rather that it arises out of the Speaker's ruling. As a matter of fact, the testimony of Mr. Robert relied almost exclusively on the Speaker's ruling. I find this an awfully odd constitutional phenomenon; one of which I hope this committee will not make a practice.

There is a set of ethical considerations that govern the table officers, and it is very difficult to debate those officers when they are not members of the Senate. From what the honourable senator is saying, I do not think any thought has been given to the situation. Perhaps the honourable senator could investigate and clarify this matter.

I am sensitive to the fact that the honourable senator is a new member of this committee. I also know his sterling record as a most honourable man. I am prepared to allow the honourable senator the time to investigate this matter. The honourable senator's presence in this place is one of the high points of this house.

Some Hon. Senators: Hear, hear.

• (1620)

Senator Cools: That is what I think of this man, Dr. Keon.

Senator Keon: I thank Senator Cools for her comments. I will retrace the process that occurred.

On motion of Senator Tardif, debate adjourned.

[*Translation*]

ARTHRITIS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau, calling the attention of the Senate to the debilitating nature of arthritis and its effect on all Canadians.—(*Honourable Senator Keon*)

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I am speaking today in response to Senator Comeau's inquiry of November 27 on arthritis. I want to thank Senator Comeau for initiating this inquiry on a very worrisome health problem.

I completely agree with Senator Comeau when he says that this illness deserves the attention not just of all Canadians, but also of governments. We, as senators and parliamentarians, have a role to play in raising awareness of arthritis.

In particular, I would like to applaud the efforts of the Alliance for the Canadian Arthritis Program in bolstering support for raising awareness among Canadians concerning the prevention and treatment of this illness.

This alliance consists of more than 20 organizations representing patients, health care providers, pharmaceutical industry researchers and health professionals.

Its members are joining forces to correct the inequity that prevails in Canada when it comes to the prevention and treatment of arthritis, and to help people living with arthritis improve their quality of life. Members of the alliance are calling for action for the prevention and treatment of arthritis. According to the alliance, without significant reform of the health care system, the situation will continue to deteriorate.

[Senator Cools]

The alliance has established arthritis prevention and treatment standards and it is committed to working with governments on finalizing action plans. The goal of the alliance members is to develop and implement a national arthritis strategy. The alliance is calling on the federal and provincial ministers of health to endorse its recommendations to establish national standards for the prevention and treatment of arthritis.

The challenges facing all of us and the consequences of this illness for Canada today are the following. At least 4 million Canadians suffer from arthritis. It is the principal cause of deformity and long-term disability in Canada, and it directly and indirectly costs several billion dollars in healthcare costs, loss of productivity and disability benefits. Arthritis affects people of all ages. Access to treatment, rehabilitation services and surgery varies widely from province to province.

Wait times for orthopaedic surgeries have grown exponentially. Many areas of arthritis research have not been explored because of a lack of resources. Only 1.3 per cent of research funds from the Canadian Institutes of Health Research are allocated to arthritis research. Since the cost of medication is very high, many patients are swelling the waiting lists for orthopaedic surgery because they cannot afford the medication that would make the surgery unnecessary. There are not enough rheumatology specialists to meet the demand for urgent care. There are only 250 of them in Canada.

A disproportionate number of off-reserve Aboriginal Canadians are two and a half times more likely to have arthritis than other Canadians.

This lacklustre record should prompt us to promote awareness of the pernicious effects of arthritis and to react more effectively to prevent this disease.

I support the alliance's three priorities: every Canadian must be aware of arthritis and should be urged to take preventive measures; all relevant health professionals must be able to perform a standardized, age-appropriate screening assessment; and every Canadian with arthritis must have timely and equal access to appropriate medications.

All government partners must increase their participation in the prevention and treatment of arthritis. We should all be concerned about arthritis. Soon, the aging population will affect the way we do things. From an economic point of view, our productivity is already being affected by high absenteeism because of workers who have arthritis. AIDS, cancer and heart disease receive a huge portion of private and public funding. Lack of awareness about arthritis means that not enough funds are allocated to researching this disease.

In Canada, we are proud of our high standard of living. We value it very highly. Everyone agrees that awareness and prevention work together to reduce skyrocketing health care costs. Let us hope that concrete action will be taken collectively to give people hope and make things better for the many Canadians struggling with arthritis. Our entire country will benefit if we do.

On motion of Senator Keon, debate adjourned.

[English]

THE SENATE

MOTION URGING GOVERNOR GENERAL TO FILL VACANCIES—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Cowan:

That the following humble Address be presented to Her Excellency, The Right Honourable Michaëlle Jean, Governor General of Canada:

MAY IT PLEASE YOUR EXCELLENCY:

WHEREAS full representation in the Senate of Canada is a constitutional guarantee to every province as part of the compromise that made Confederation possible;

AND WHEREAS the stated position of the Prime Minister that he “does not intend to appoint senators, unless necessary” represents a unilateral denial of the rights of the provinces;

AND WHEREAS the Prime Minister’s disregard of the Constitution of Canada places the Governor General in the intolerable situation of not being able to carry out her sworn duties under section s. 32 of the *Constitution Act, 1867*, which states, “When a Vacancy happens in the Senate by Resignation, Death, or otherwise, the Governor General shall by Summons to a fit and qualified Person fill the Vacancy.”;

AND WHEREAS upon the failure of the Prime Minister to tender advice it is the duty of the Governor General to uphold the Constitution of Canada and its laws and not be constrained by the willful omission of the Prime Minister;

Therefore, we humbly pray that Your Excellency will exercise Her lawful and constitutional duties and will summon qualified persons to the Senate of Canada, thereby assuring that the people and regions of our country have their full representation in a properly functioning Parliament, as that is their undeniable right guaranteed in the Constitution of Canada.—(*Honourable Senator Tkachuk*)

Hon. David Tkachuk: Honourable senators, in order that we are reminded of what Senator Moore is trying to achieve, I wish to read part of the motion before us:

Therefore, we humbly pray that Your Excellency will exercise Her lawful and constitutional duties and will summon qualified persons to the Senate of Canada, thereby assuring that the people and regions of our country have the full representation in a properly functioning Parliament, as that is their undeniable right guaranteed in the Constitution of Canada.

That paragraph was preceded by a number of statements that began with the word “whereas,” where the honourable senator claimed that the Prime Minister’s disregard of the Constitution of Canada places the Governor General in an intolerable position because she cannot carry out her constitutional duties.

The honourable senator also said that the stated position of the Prime Minister that he does not intend to appoint senators unless necessary represents a unilateral denial of the rights of the provinces; and that, upon the failure of the Prime Minister to tender advice, it is the duty of the Governor General to uphold the Constitution of Canada.

Honourable senators, in contemplating this motion, I recalled the remarks of former Liberal Prime Minister Trudeau, who once famously said of members of Parliament:

When they are 50 yards from Parliament Hill, they are no longer honourable members, they are just nobodies.

It occurred to me that, in the past, Liberals in the Senate have invoked time allocation in this place — the equivalent of closure in the other place — as they saw fit, 21 times from 1997-2005. Then, there was the famous attempt by the Liberal senators to stall debate over the GST, a tax that their colleagues in the other place now seem to consider sacrosanct but whose implementation Liberal senators at the time tried to forestall, unsuccessfully I might add, by ringing cow bells, blowing kazoes and twirling noisemakers. Senator Moore is worried about protecting our institutions but the Liberals lost that right decades ago.

• (1630)

Senator Moore has called Prime Minister Harper’s appointment of Senator Bert Brown a glaring exception to the Prime Minister’s policy not to fill Senate vacancies, even though he knows that is not the case and his own motion confirms it. The appointment of Senator Brown was not an exception to the Prime Minister’s policy regarding Senate appointments, but rather a confirmation of his unwavering commitment to make this place more accountable by ensuring that the bodies that fill it are elected and not appointed.

Senator Brown, honourable senators will recall, ran in three senatorial elections and won two of them, including the last one in 2004. It is not the Prime Minister’s policy to leave Senate seats vacant. A quick glance at his testimony when he appeared before the Special Senate Committee on Senate Reform makes this plain. What the Prime Minister actually said in response to a question from Senator Chaput was the following, and I will quote it so that there is no misunderstanding. The Prime Minister said:

The government prefers not to appoint senators unless it has the necessary reasons to do so. I mentioned one of these reasons in the case of Senator Fortier. Frankly, we are concerned about the representation in the Senate and about the number and age of our Senate caucus. It is necessary for the government, even in the present system, to have a certain number of senators to do the work of the government in the

Senate. We have not reached the point where it is necessary to appoint certain senators to meet this objective. At this time, I prefer to have an election process where we can consult the population rather than to appoint senators traditionally.

Senator Moore and his caucus colleagues do not seem to understand the policy of the Prime Minister, so it bears repeating. The Prime Minister's policy is to fill vacancies if and when necessary — "necessary" defined as the ability of senators to carry on the work of the government in the Senate — but preferring to wait until an advisory election process is put in place.

This motion is nothing more than a cleverly disguised effort to score points while pulling the wool over the eyes of Canadians in order to obscure the real issue: our government's commitment to making the Senate more accountable and the Liberals' commitment to ensuring that we do not succeed in that.

Under the guise of seeking to defend the Constitution, that venerable document in which the country's democratic nature is firmly rooted, this motion seeks to reform the way senators are appointed, not as one might expect by making the process more democratic but by making it less democratic. If this motion were to succeed, it would surely establish a precedent for senators being appointed to vacancies by the Governor General at the urging of the Senate. In other words, the door would be open for unelected senators to ask the unelected Governor General to appoint more unelected senators to the unelected and unaccountable Senate.

This motion, while making reference to constitutional imperatives, undermines those very imperatives in which it pretends to cloak itself. Moreover, it invites the Governor General — a monarchical relic who has wisely and not without considerable forethought been relegated to that of figurehead — and her successors to usurp that which is the sole privilege of the democratically elected Prime Minister who appointed her. The motion also seeks to make the Senate complicit in that process.

Honourable senators, this motion is nothing less than an effort to put democracy in reverse. Wrapped up as a sincere attempt to bolster our democratic system, this motion is an elaborate masquerade that will undo and is an affront to democracy.

In his testimony before the Special Committee on Senate Reform, the Prime Minister stated that we have not reached the point in the Senate where the business of the government cannot be carried out. Senator Moore disagrees. Senator Morre says that the policy of the Prime Minister not to fill Senate vacancies, which I remind honourable senators is not the policy of the Prime Minister, denies the rights of the provinces. I would presume that there has been a great hue and cry from the provinces about this denial of their rights, that it has been documented and that at some future time Senator Moore will table that documentation in this chamber. Perhaps the honourable senator will table the policy of the Premier of Nova Scotia, Rodney MacDonald, who is on record not only in support of term limits for senators, but also of elected and not appointed senators.

No doubt Senator Moore's office has been inundated with letters from constituents complaining that Senate vacancies in their region have not been filled. Democracy is in peril. Senator Moore at some future date will table these letters as well.

Honourable senators, in contending that the Senate is not working, Senator Moore cited as evidence that the Senate adjourned on May 15 due to lack of quorum, the first time that had happened, he told us dramatically, since 1914. I contend that the failure to meet quorum was not an indication that the Senate is not working, but rather an indication that the Liberal senators who comprise the majority in this place are not working. Quorum, after all, consists of 15 senators. On May 15, the Liberals numbered 60-plus, which is more than enough senators to meet quorum four times over. If the Liberals want the Senate to meet its quorum, they can effortlessly ensure that it does.

What Senator Moore left out of his version of history is the sordid details of that night. On May 15, the Liberals failed to heed both the 5-minute then the 15-minute bell to meet quorum, and instead used the time to rush their members to an Energy Committee meeting where they passed Bill C-288 without any Conservative members of the committee being present. The Conservative senators were absent because they were heeding the bell.

The Liberals were not only responsible for lack of quorum, but they also took advantage of quorum not being met. For Senator Moore to complain now is rich indeed.

I also argue that under no circumstances is adjournment of the Senate for lack of quorum an indication that the Senate is not working, but rather that it is working. Quorum is dictated by the *Rules of the Senate* and when the Senate adheres to its rules, it is working. If, on the other hand, the Senate had attempted to conduct business when quorum had not been met, that would be an indication that it is not working, the rules of the Senate having been broken.

Honourable senators, there are 12 vacancies in the Senate out of 105. Former Liberal Prime Minister Pierre Trudeau allowed the Senate to operate for three years in the 1980s with vacancies in the double digits rising to a high of 21 in 1983. Under our constitutional government, through elections, the people of Canada decide whether they agree with the Prime Minister's decision to leave or fill vacancies. The people are given ample time to speak, and they did so in 1984. Mr. Trudeau's appointments to the Senate, through newly elected leader John Turner, contributed greatly to Mr. Turner's short-lived government's demise in the election of 1984. Judging by that experience, I advise my Prime Minister not to make the same mistake.

Senator Stollery: What happened to the Progressive Conservative party?

Senator Tkachuk: We are now the government. They are right over there.

MOTION IN AMENDMENT

Hon. David Tkachuk: Therefore, honourable senators, I move, seconded by the Honourable Senator Comeau:

That the motion be amended by deleting all words after "MAY IT PLEASE YOUR EXCELLENCY:" and replacing them by the following:

We humbly pray that Your Excellency will continue to exercise Her lawful and constitutional duties and summon qualified persons to the Senate of Canada, upon the advice of the Prime Minister which has been the practice since Confederation.

• (1640)

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker *pro tempore*: Do honourable senators wish debate on the motion in amendment?

Hon. Tommy Banks: May I ask a question of Senator Tkachuk before we debate the amendment? I do not know the proper order.

The Hon. the Speaker *pro tempore*: Will Senator Tkachuk accept a question?

Senator Tkachuk: Depending on the question, yes.

Senator Banks: Honourable senators, I actually understand that answer.

Leaving aside the terminological inexactitudes of the honourable senator's speech, it is interesting to hear his views on what the Constitution ought to be, and those are matters which need to be addressed in a constitutionally proper way.

Also leaving aside the way that the honourable senator would like to see the Constitution, does he have any regard for the Constitution as it presently stands?

Senator Tkachuk: Of course I do, but I also understand that a constitution is not only what it says, but also what it practices. The democratic right to appoint senators to this place has always been the prerogative of the Prime Minister, and he advises the Governor General and the Governor General appoints. That is his duty and that is her duty. The Constitution does not say that the Prime Minister has to appoint so many senators each year and it does not say that he has to appoint a senator immediately after one resigns.

Senator Banks: Is it not correct to say that a prime minister makes these appointments? The appointments, according to the Constitution, are made by the Governor General, His or Her Excellency, and it does not say anything in the Constitution about a prime minister.

Senator Oliver: Constitutional convention.

Senator Tkachuk: We can refer the matter to the Supreme Court, and I think I will be right and the honourable senator will be wrong.

Hon. Joan Fraser: Would Senator Tkachuk take another question?

Senator Tkachuk: Yes.

Senator Fraser: My question also refers to his original remarks and, notably, his use of the infamous quotation from Pierre Trudeau about MPs being nobodies once they get off the Hill. I yield to no one in my admiration for Mr. Trudeau, but as I am sure Senator Tkachuk would agree, no one is perfect, so I will ask him a series of questions.

Would the honourable senator agree with me that, on that occasion, Mr. Trudeau got it backwards and that, in fact, MPs are somebodies at home, but that, at least in the eyes of many of the great and the powerful around here, they do tend to be nobodies on the Hill, that is, to be seen as nobodies on the Hill by some of the great and powerful? Would the honourable senator agree with me that that tendency probably exists in most prime ministers and cabinet ministers?

Finally, would he agree with me that this concept appears to have reached its ultimate flowering under the present Prime Minister?

Senator Tkachuk: Honourable senators, I cannot speak for Liberal prime ministers, but I can speak for ours. Of course not.

The Hon. the Speaker *pro tempore*: The speaking time for Senator Tkachuk has expired.

Is the honourable senator asking for more time?

Senator Tkachuk: No. I am done.

Hon. Donald H. Oliver: I move the adjournment of the debate.

The Hon. the Speaker *pro tempore*: It is moved by the Honourable Senator Oliver, seconded by the Honourable Senator Di Nino, that further debate be adjourned until the next sitting of the Senate.

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

Some Hon. Senators: No.

Some Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: All honourable senators in favour of the motion to adjourn will signify by saying "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore*: All honourable senators opposed to the motion to adjourn will signify by saying "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker *pro tempore*: In my opinion, the "yeas" have it.

On motion of Senator Oliver, debate adjourned.

MINE BAN TREATY

TENTH ANNIVERSARY—INQUIRY— DEBATE ADJOURNED

Hon. Elizabeth Hubley rose pursuant to notice of November 27, 2007:

That she will call the attention of the Senate to the Tenth Anniversary of the signing of the Ottawa Treaty against the use of landmines.

She said: Honourable senators, in speaking to my inquiry today, I wish to recognize the work of two former colleagues of ours who have made significant contributions to the land mines issue. They are the Honourable Sheila Finestone, a former ambassador of land mines; and the Honourable Ione Christensen, who acted as co-chair of Senators Against Landmines.

December 3, 2007 marked the tenth anniversary of the signing in Ottawa of the December Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction, better known as the Mine Ban Treaty or the Ottawa Treaty.

The Mine Ban Treaty defines an anti-personnel mine as “a mine designed to be exploded by the presence, proximity or contact of a person, and that will incapacitate, injure or kill one or more persons.” There are more than 350 different kinds of anti-personnel mines, manufactured by more than 50 countries. These weapons cost very little to produce and are easy to deploy and therefore have become a favoured weapon, especially of poorer nations.

In October of 1996, 75 governments met in Ottawa to discuss the problems of anti-personnel land mines. Then Foreign Affairs Minister Lloyd Axworthy, in wrapping up the conference, made a surprise announcement, challenging the world to return to Ottawa in one year to sign a comprehensive treaty banning land mines.

Through this announcement, Canada gave notice to the world that we believed that international cooperation was possible on this issue and that it was finally time to take action. This announcement kicked off what has become known as the “Ottawa Process.” Over the next 14 months, a series of gatherings and consultations occurred, culminating in Oslo in September of 1997, where an international agreement was reached to eliminate anti-personnel land mines.

On December 3, 1997, 122 countries signed the Mine Ban Treaty in Ottawa. To actually come into effect, the treaty had to be ratified by 40 nations, which occurred in 1999. As of now, 156 states have signed the treaty and all but two of these, Poland and the Marshall Islands, have ratified it. Thirty-nine states have not yet signed the Ottawa Treaty, including China, India, Russia and the United States.

International ratification of the treaty, however, is only the first step. The long task of clearing the millions of land mines already placed in dozens of nations remains.

The Canadian Landmine Foundation estimates that there are between 45 and 50 million land mines in the ground in over 70 countries. One of the most inhumane weapons ever developed, land mines kill and cripple not only combatants, but also thousands of innocent civilians, long after hostilities have ended.

Although all of these mines were originally placed to protect against military forces, once the fighting has ended or moved on, it is the innocent men, women and children who continue to fall victim to this weapon.

In 2006, 5,751 people from 58 countries were known to be killed or injured by these relics. Three quarters of these were civilians and one third of these were children. The hard fact is that somewhere in the world someone is killed or mutilated by a land mine every 28 minutes. In some countries, 50 per cent of victims are children. The true horror of land mines is how they are silent killers, preying on innocent civilians, and again, especially children.

• (1650)

Sadly, those countries held hostage to land mines are amongst the poorest in the world, lacking both the financial and technical resources needed to carry out effective demining operations. Land mines render huge areas of arable land unusable simply because it is not safe for anyone to wander into these areas. Although it costs only about \$3 to build and place each of these mines, it can cost \$300 to \$1,000 to locate and destroy a single mine.

It is an enormously costly and time-consuming effort to clean up infected areas. A deminer with a metal detector and a prod can clear 100 square metres a day. With a mine detection dog, 1,000 square metres a day can be cleared.

Most countries that have used these weapons can barely afford civil administration, let alone the costs to clean up past war zones. The result is enormous social and economic suffering as poor, rural and post-conflict societies can be overwhelmed by challenges of repairing infrastructure and replacing lost agricultural production. Land mines disrupt trade and commerce, produce food shortages and inflation, perpetuate poverty and are a major obstacle to sustainable development.

Despite the challenges, in 2006, over 450 square kilometres of contaminated land were cleared. In addition, 860 square kilometres were released through other measures. The Canadian Landmine Foundation has raised almost \$4 million to clear almost 2 million square metres of mines in a dozen countries around the world. The annual Night of a Thousand Dinners worldwide campaign has raised over \$4 million for projects in over 50 countries. Progress is being made, but it is slow and costly.

Honourable senators, land mines were recognized as a weapon that causes more civilian casualties in the long run than does the military. This was the impetus that led to the Ottawa treaty. Attention is now being directed to cluster bombs. These are weapons that open over a target area and disperse a large number of sub-bombs. These sub-bombs are undirected and can often cover a square kilometre or more. These weapons cause two problems for non-combatants. First, at the time of use, the large area covered by these weapons puts nearby civilians at risk. Second, although these munitions are designed to explode

on impact, not all do. This leaves a significant number of unexploded munitions after military action has finished. Unexploded sub-bombs threaten civilians when they attempt to return to an area at a later date.

Canada has never used cluster bombs, although two types were contained in our arsenal of weapons. Canada has committed to the destruction of its cluster bombs, although no date has been announced for the completion of this task.

In addition, Canada signed the Oslo Declaration in early 2007, which calls for the creation of a new treaty by the end of 2008 outlawing cluster bombs worldwide. This declaration now has the support of 80 nations.

Although Canada has been a world leader in the banning and destruction of land mines, there is still much work to be done in clearing this problem worldwide. More international efforts and funding are required for the clearance of affected areas. Canada has committed to the elimination of our stockpile of cluster bombs, but can Canada do more to lead the world in this effort, as we did for the Ottawa treaty? I hope so.

Honourable senators, the Ottawa Treaty is considered a remarkable achievement by international observers of disarmament issues for its rapid development and adoption. In a span of 14 months, an extraordinary agreement was reached banning a conventional weapon for the first time in history. As we mark this tenth anniversary of the signing of the Mine Ban Treaty that was signed in Ottawa, we can reflect with pride on the leadership shown by Canada through the Ottawa process and on the efforts that our nation has made in reducing weapons of war that have had an inordinate impact on civilians rather than their intended military targets. However, we must resolve to continue the work that was begun at that time and diligently pursue the eradication of this horrific weapon and other similar weapons that indiscriminately kill and injure. More can be done, and must be done, and I encourage all Canadians to continue their efforts.

On motion of Senator Tardif, debate adjourned.

The Senate adjourned until Wednesday, December 5, 2007, at 1:30 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

The Honourable Noël A Kinsella

THE LEADER OF THE GOVERNMENT

The Honourable Marjory LeBreton, P.C.

THE LEADER OF THE OPPOSITION

The Honourable Céline Hervieux-Payette, P.C.

OFFICERS OF THE SENATE**CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

Terrance J. Christopher

THE MINISTRY

(In order of precedence)

(December 4, 2007)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Minister of Justice and Attorney General of Canada
The Hon. David Emerson	Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics
The Hon. Jean-Pierre Blackburn	Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec
The Hon. Gregory Francis Thompson	Minister of Veterans Affairs
The Hon. Marjory LeBreton	Leader of the Government in the Senate and Secretary of State (Seniors)
The Hon. Monte Solberg	Minister of Human Resources and Social Development
The Hon. Chuck Strahl	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
The Hon. Gary Lunn	Minister of Natural Resources
The Hon. Peter Gordon MacKay	Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency
The Hon. Loyola Hearn	Minister of Fisheries and Oceans
The Hon. Stockwell Day	Minister of Public Safety
The Hon. Vic Toews	President of the Treasury Board
The Hon. Rona Ambrose	President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Western Economic Diversification
The Hon. Diane Finley	Minister of Citizenship and Immigration
The Hon. Gordon O'Connor	Minister of National Revenue
The Hon. Beverley J. Oda	Minister of International Cooperation
The Hon. Jim Prentice	Minister of Industry
The Hon. John Baird	Minister of the Environment
The Hon. Maxime Bernier	Minister of Foreign Affairs
The Hon. Lawrence Cannon	Minister of Transport, Infrastructure and Communities
The Hon. Tony Clement	Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	Minister of Canadian Heritage, Status of Women and Official Languages
The Hon. Michael Fortier	Minister of Public Works and Government Services
The Hon. Peter Van Loan	Leader of the Government in the House of Commons and Minister for Democratic Reform
The Hon. Gerry Ritz	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Jay D. Hill	Secretary of State and Chief Government Whip
The Hon. Jason Kenney	Secretary of State (Multiculturalism and Canadian Identity)
The Hon. Helena Guergis	Secretary of State (Foreign Affairs and International Trade) (Sport)
The Hon. Christian Paradis	Secretary of State (Agriculture)
The Hon. Diane Ablonczy	Secretary of State (Small Business and Tourism)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(December 4, 2007)

Senator	Designation	Post Office Address
THE HONOURABLE		
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
J. Trevor Eytton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Winnipeg, Man.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.

Senator	Designation	Post Office Address
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A.A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Yoine Goldstein	Rigaud	Montreal, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Michael Fortier, P.C.	Rougemont	Town of Mount Royal, Que.
Bert Brown	Alberta	Kathryn, Alta.

SENATORS OF CANADA

ALPHABETICAL LIST

(December 4, 2007)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Liberal
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Atkins, Norman K.	Markham	Toronto, Ont.	Progressive Conservative
Bacon, Lise	De la Durantaye	Laval, Que.	Liberal
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy	Alberta	Edmonton, Alta.	Liberal
Biron, Michel	Mille Isles	Nicolet, Que.	Liberal
Brown, Bert	Alberta	Kathyrn, Alta.	Conservative
Bryden, John G.	New Brunswick	Bayfield, N.B.	Liberal
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	Conservative
Carstairs, Sharon, P.C.	Manitoba	Winnipeg, Man.	Liberal
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	Conservative
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Liberal
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauson	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy	Charlottetown	Charlottetown, P.E.I.	Liberal
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Ind. New Democrat
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Eyton, J. Trevor	Ontario	Caledon, Ont.	Conservative
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Liberal
Fortier, Michael, P.C.	Rougemont	Town of Mount Royal, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Liberal
Goldstein, Yoine	Rigaud	Montreal, Que.	Liberal
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Liberal
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	Conservative
Harb, Mac	Ontario	Ottawa, Ont.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	Conservative
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Lapointe, Jean	Saurel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory, P.C.	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Milne, Lorna	Peel County	Brampton, Ont.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Moore, Wilfred P.	Stanhope St./South Shore	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	Progressive Conservative
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	Conservative
Pépin, Lucie	Shawinigan	Montreal, Que.	Liberal
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Liberal
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Independent
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Independent
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Rompkey, William H., P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.	Liberal
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Spivak, Mira	Manitoba	Winnipeg, Man.	Independent
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Liberal
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Liberal
Zimmer, Rod A.A.	Manitoba	Winnipeg, Man.	Liberal

SENATORS OF CANADA
BY PROVINCE AND TERRITORY
(December 4, 2007)

ONTARIO—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jeremiah S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 John Trevor Eyton	Ontario	Caledon
10 Wilbert Joseph Keon	Ottawa	Ottawa
11 Michael Arthur Meighen	St. Marys	Toronto
12 Marjory LeBreton, P.C.	Ontario	Manotick
13 Lorna Milne	Peel County	Brampton
14 Marie-P. Poulin	Northern Ontario	Ottawa
15 Francis William Mahovlich	Toronto	Toronto
16 Vivienne Poy	Toronto	Toronto
17 David P. Smith, P.C.	Cobourg	Toronto
18 Mac Harb	Ontario	Ottawa
19 Jim Munson	Ottawa/Rideau Canal	Ottawa
20 Art Eggleton, P.C.	Ontario	Toronto
21 Nancy Ruth	Cluny	Toronto
22 Hugh Segal	Kingston-Frontenac-Leeds	Kingston
23	
24	

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kuujuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 Marcel Prud'homme, P.C.	La Salle	Montreal
5 W. David Angus	Alma	Montreal
6 Pierre Claude Nolin	De Salaberry	Quebec
7 Lise Bacon	De la Durantaye	Laval
8 Céline Hervieux-Payette, P.C.	Bedford	Montreal
9 Lucie Pépin	Shawinigan	Montreal
10 Serge Joyal, P.C.	Kennebec	Montreal
11 Joan Thorne Fraser	De Lorimier	Montreal
12 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
13 Jean Lapointe	Saurel	Magog
14 Michel Biron	Milles Isles	Nicolet
15 Raymond Lavigne	Montarville	Verdun
16 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
17 Roméo Antonius Dallaire	Gulf	Sainte-Foy
18 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
19 Dennis Dawson	Lauzon	Ste-Foy
20 Yoine Goldstein	Rigaud	Montreal
21 Francis Fox, P.C.	Victoria	Montreal
22 Michael Fortier, P.C.	Rougemont	Town of Mount Royal
23		
24		

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerald J. Comeau	Nova Scotia	Saulnierville
2 Donald H. Oliver	Nova Scotia	Halifax
3 Wilfred P. Moore	Stanhope St./South Shore	Chester
4 Jane Cordy	Nova Scotia	Dartmouth
5 Gerard A. Phalen	Nova Scotia	Glace Bay
6 Terry M. Mercer	Northend Halifax	Caribou River
7 James S. Cowan	Nova Scotia	Halifax
8		
9		
10		

NEW BRUNSWICK—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton
3 John G. Bryden	New Brunswick	Bayfield
4 Rose-Marie Losier-Cool	Tracadie	Bathurst
5 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
6 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
7 Pierrette Ringuette	New Brunswick	Edmundston
8 Marilyn Trenholme Counsell	New Brunswick	Sackville
9 Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
10		

PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy Downe	Charlottetown	Charlottetown
4		

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak	Manitoba	Winnipeg
2 Janis G. Johnson	Winnipeg-Interlake	Gimli
3 Terrance R. Stratton	Red River	St. Norbert
4 Sharon Carstairs, P.C.	Manitoba	Winnipeg
5 Maria Chaput	Manitoba	Sainte-Anne
6 Rod A.A. Zimmer	Manitoba	Winnipeg

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Pat Carney, P.C.	British Columbia	Vancouver
2 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
3 Ross Fitzpatrick	Okanagan-Similkameen	Kelowna
4 Mobina S.B. Jaffer	British Columbia	North Vancouver
5 Larry W. Campbell	British Columbia	Vancouver
6

SASKATCHEWAN—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 A. Raynell Andreychuk	Saskatchewan	Regina
2 Leonard J. Gustafson	Saskatchewan	Macoun
3 David Tkachuk	Saskatchewan	Saskatoon
4 Pana Merchant	Saskatchewan	Regina
5 Robert W. Peterson	Saskatchewan	Regina
6 Lillian Eva Dyck	Saskatchewan	Saskatoon

ALBERTA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
2 Tommy Banks	Alberta	Edmonton
3 Claudette Tardif	Alberta	Edmonton
4 Grant Mitchell	Alberta	Edmonton
5 Elaine McCoy	Alberta	Calgary
6 Bert Brown	Alberta	Kathryn

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ethel Cochrane	Newfoundland and Labrador	Port-au-Port
2 William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador
3 Joan Cook	Newfoundland and Labrador	St. John's
4 George Furey	Newfoundland and Labrador	St. John's
5 George S. Baker, P.C.	Newfoundland and Labrador	Gander
6		

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams	Nunavut	Rankin Inlet

YUKON—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1		

ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of December 4, 2007)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair: Honourable Senator St. Germain

Deputy Chair: Honourable Senator Sibbeston

Honourable Senators:

Campbell,	* Hervieux-Payette (or Tardif),	Lovelace Nicholas,	Segal,
Dyck,	Hubley,	Peterson,	Sibbeston,
Gill,	* LeBreton (or Comeau),	St. Germain,	Watt.
Gustafson,			

Original Members as nominated by the Committee of Selection

*Campbell, Dyck, *Hays (or Fraser), Gill, Gustafson, Hubley, *LeBreton (or Comeau),
Lovelace Nicholas, Peterson, Segal, Sibbeston, St. Germain, Watt, Zimmer*

AGRICULTURE AND FORESTRY

Chair: Honourable Senator Fairbairn

Deputy Chair: Honourable Senator Gustafson

Honourable Senators:

Biron,	Fairbairn,	* LeBreton (or Comeau),	Peterson,
Callbeck,	Gustafson,	Mercer,	St. Germain,
Chaput,	* Hervieux-Payette (or Tardif),	Oliver,	Segal.

Original Members as nominated by the Committee of Selection

*Callbeck, Christensen, Fairbairn, *Hays (or Fraser), Gustafson, *LeBreton (or Comeau),
Mahovich, Mercer, Mitchell, Oliver, Pépin, Peterson, Segal, Tkachuk.*

BANKING, TRADE AND COMMERCE

Chair: Honourable Senator Grafstein

Deputy Chair: Honourable Senator Angus

Honourable Senators:

Angus,	Goldstein,	* LeBreton (or Comeau),	Moore,
Biron,	Grafstein,	Massicotte,	Ringuette,
Campbell,	Harb,	Meighen,	Tkachuk.
Eyton,	* Hervieux-Payette (or Tardif),		

Original Members as nominated by the Committee of Selection

*Angus, Biron, Eyton, Fitzpatrick, *Hays (or Fraser), Goldstein, Grafstein, Harb, Hervieux-Payette,
LeBreton (or Comeau), Massicotte, Meighen, Moore, Tkachuk.

CONFLICT OF INTEREST FOR SENATORS**Chair: Honourable Senator Joyal****Deputy Chair: Honourable Senator Andreychuk****Honourable Senators:**

Andreychuk, Angus,	Carstairs,	Joyal,	Robichaud.
-----------------------	------------	--------	------------

*Original Members as nominated by the Committee of Selection**Andreychuk, Angus, Carstairs, Joyal, Robichaud.***ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES****Chair: Honourable Senator Banks****Deputy Chair: Honourable Senator Cochrane****Honourable Senators:**

Adams, Angus, Banks, Cochrane,	* Hervieux-Payette (or Tardif), Kenny, Lavigne,	* LeBreton (or Comeau), Milne, Peterson,	Sibbeston, Spivak, Tkachuk.
---	---	--	-----------------------------------

*Original Members as nominated by the Committee of Selection**Angus, Banks, Carney, Cochrane, Fox, *Hays (or Fraser), Hervieux-Payette, Lavigne,
*LeBreton (or Comeau), Milne, Peterson, Sibbeston, Spivak, Tardif.***FISHERIES AND OCEANS****Chair: Honourable Senator Rompkey****Deputy Chair: Honourable Senator Johnson****Honourable Senators:**

Adams, Baker, Campbell, Cochrane,	Comeau, Gill, * Hervieux-Payette (or Tardif), Hubley,	Johnson, * LeBreton (or Comeau), Meighen,	Robichaud, Rompkey, Watt.
--	--	---	---------------------------------

*Original Members as nominated by the Committee of Selection**Adams, Baker, Campbell, Comeau, Cowan, Forrestall, *Hays (or Fraser), Gill, Hubley, Johnson,
LeBreton (or Comeau), Meighen, Rompkey, Watt.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

Chair: Honourable Senator Di Nino

Deputy Chair: Honourable Senator Stollery

Honourable Senators:

Andreychuk,	Di Nino,	* LeBreton (or Comeau),	Segal,
Corbin,	Downe,	Mahovlich,	Smith,
Dawson,	* Hervieux-Payette (or Tardif),	Merchant,	Stollery.
De Bané,	Johnson,		

Original Members as nominated by the Committee of Selection

*Andreychuk, Corbin, Dawson, De Bané, Di Nino, Downe, *Hays (or Fraser),
LeBreton (or Comeau), Mahovlich, Merchant, Segal, Smith, St. Germain, Stollery.

HUMAN RIGHTS

Chair: Honourable Senator Andreychuk

Deputy Chair: Honourable Senator Fraser

Honourable Senators:

Andreychuk,	* Hervieux-Payette (or Tardif),	* LeBreton (or Comeau),	Nancy Ruth,
Dallaire,	Jaffer,	Lovelace Nicholas,	Poy.
Fraser,	Kinsella,	Munson,	

Original Members as nominated by the Committee of Selection

*Andreychuk, Carstairs, Dallaire, *Hays (or Fraser), Kinsella,
LeBreton (or Comeau), Lovelace Nicholas, Munson, Nancy Ruth, Pépin, Poy.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chair: Honourable Senator Furey

Deputy Chair: Honourable Senator Nolin

Honourable Senators:

Comeau,	Jaffer,	Massicotte,	Prud'homme,
Cook,	Kenny,	Nolin,	Robichaud,
Downe,	Kinsella,	Phalen,	Stollery,
Furey,	* LeBreton (or Comeau),	Poulin,	Stratton.
* Hervieux-Payette (or Tardif),			

Original Members as nominated by the Committee of Selection

*Banks, Cook, Day, De Bané, Di Nino, Furey, *Hays (or Fraser), Jaffer, Kenny, Keon,
LeBreton (or Comeau), Lynch-Staunton, Massicotte, Nolin, Poulin, Robichaud, Stratton.

LEGAL AND CONSTITUTIONAL AFFAIRS

Chair: Honourable Senator Oliver

Deputy Chair: Honourable Senator Milne

Honourable Senators:

Andreychuk,	* Hervieux-Payette (or Tardif),	Nolin,	Robichaud,
Baker,	* LeBreton (or Comeau),	Oliver,	Rompkey,
Bryden,	Milne,	Rivest,	Stratton.
Fraser,	Moore,		

Original Members as nominated by the Committee of Selection

*Andreychuk, Baker, Bryden, Cools, Furey, *Hays (or Fraser), Jaffer, Joyal,
LeBreton (or Comeau), Milne, Nolin, Oliver, Ringuette, Rivest.

LIBRARY OF PARLIAMENT (Joint)

Joint Chair: Honourable Senator Trenholme Counsell

Honourable Senators:

Johnson,	Oliver,	Poy,	Trenholme Counsell.
Lapointe,			

Original Members agreed to by Motion of the Senate

Johnson, Lapointe, Oliver, Poy, Trenholme Counsell.

NATIONAL FINANCE

Chair: Honourable Senator Day

Deputy Chair: Honourable Senator Nancy Ruth

Honourable Senators:

Biron,	Eggleton,	Mitchell,	Ringuette,
Day,	* Hervieux-Payette (or Tardif),	Murray,	Rompkey,
Di Nino,	* LeBreton (or Comeau),	Nancy Ruth,	Stratton.

Original Members as nominated by the Committee of Selection

*Biron, Cools, Cowan, Day, Eggleton, Fox, *Hays (or Fraser),
LeBreton (or Comeau), Mitchell, Murray, Nancy Ruth, Ringuette, Rompkey, Stratton.

NATIONAL SECURITY AND DEFENCE**Chair: Honourable Senator Kenny****Deputy Chair: Honourable Senator Atkins****Honourable Senators:**

Atkins,	Day,	Kenny,	Moore,
Banks,	* Hervieux-Payette (or Tardif),	* LeBreton (or Comeau),	Zimmer.

Original Members as nominated by the Committee of Selection

*Atkins, Banks, Campbell, Day, Forrestall, *Hays (or Fraser), Kenny,
LeBreton (or Comeau), Meighen, Poulin, Watt.

VETERANS AFFAIRS**(Subcommittee of National Security and Defence)****Chair: Honourable Senator Day****Deputy Chair: Honourable Senator Atkins****Honourable Senators:**

Atkins,	* Hervieux-Payette (or Tardif),	Kenny,	* LeBreton (or Comeau).
Day,			

OFFICIAL LANGUAGES**Chair: Honourable Senator Chaput****Deputy Chair:****Honourable Senators:**

Chaput,	* Hervieux-Payette (or Tardif),	* LeBreton (or Comeau),	Tardif,
Comeau,	Jaffer,	Losier-Cool,	Trenholme Counsell.
Cowan,	Keon,	Murray,	

Original Members as nominated by the Committee of Selection

*Champagne, Chaput, Comeau, *Hays (or Fraser), Jaffer, *LeBreton (or Comeau),
Losier-Cool, Plamondon, Robichaud, Tardif, Trenholme Counsell.*

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

Chair: Honourable Senator Keon

Deputy Chair: Honourable Senator Smith

Honourable Senators:

Andreychuk,	Fraser,	Keon,	Robichaud,
Bryden,		* LeBreton (or Comeau),	Smith,
Corbin,	* Hervieux-Payette (or Tardif),	Losier-Cool,	Stratton,
Cordy,	Joyal,	McCoy,	Tardif.
Di Nino,			

Original Members as nominated by the Committee of Selection

*Andreychuk, Bryden, Carstairs, Cools, Corbin, Cordy, Di Nino, *Hays (or Fraser), Joyal,
*LeBreton (or Comeau), Losier-Cool, McCoy, Mitchell, Robichaud,
Smith, Stratton, Tardif.*

SCRUTINY OF REGULATIONS (Joint)

Joint Chair: Honourable Senator Eyton

Honourable Senators:

Biron,	De Bané,	Harb,	Nolin,
Bryden,	Eyton,	Moore,	St. Germain.

Original Members as agreed to by Motion of the Senate

Biron, Bryden, De Bané, Eyton, Harb, Moore, Nolin, St. Germain,

SELECTION

Chair: Honourable Senator Stratton

Deputy Chair: Honourable Senator Cowan

Honourable Senators:

Bacon,	Cowan,	* Hervieux-Payette (or Tardif),	Stratton,
Carstairs,	Fairbairn,	* LeBreton (or Comeau),	Tkachuk.
Champagne,		Oliver,	

Original Members agreed to by Motion of the Senate

*Austin, Bacon, Carstairs, Champagne, Cook, Fairbairn,
*Hays (or Fraser), *LeBreton (or Comeau) Oliver, Stratton, Tkachuk.*

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY**Chair: Honourable Senator Eggleton****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

Callbeck, Champagne, Cochrane, Cook,	Cordy, Eggleton, Fairbairn, * Hervieux-Payette (or Tardif),	Keon, * LeBreton (or Comeau), Munson,	Nancy Ruth, Pépin, Trenholme Counsell.
---	--	---	--

Original Members as nominated by the Committee of Selection

*Callbeck, Champagne, Cochrane, Cook, Cordy, Eggleton, Fairbairn, Forrestall,
*Hays (or Fraser), Keon, Kirby, *LeBreton (or Comeau), Pépin, Trenholme Counsell.*

CITIES**(Subcommittee of Social Affairs, Science and Technology Committee)****Chair: Honourable Senator Eggleton****Deputy Chair: Honourable Senator Champagne****Honourable Senators:**

Champagne Cordy,	Eggleton, Hervieux-Payette (or Tardif),	* LeBreton (or Comeau), Munson,	Nancy Ruth, Trenholme Counsell.
---------------------	--	------------------------------------	------------------------------------

POPULATION HEALTH**(Subcommittee of Social Affairs, Science and Technology Committee)****Chair: Honourable Senator Keon****Deputy Chair: Honourable Senator Pépin****Honourable Senators:**

Callbeck, Cochrane,	Cook, Fairbairn,	* Hervieux-Payette (or Tardif), Keon,	* LeBreton (or Comeau), Pépin.
------------------------	---------------------	--	-----------------------------------

TRANSPORT AND COMMUNICATIONS**Chair: Honourable Senator Bacon****Deputy Chair: Honourable Senator Tkachuk****Honourable Senators:**

Adams, Bacon, Carney, Dawson,	Eyton, Fox, * Hervieux-Payette (or Tardif), Johnson,	* LeBreton (or Comeau), Merchant, Munson,	Phalen, Tkachuk, Zimmer.
--	---	---	--------------------------------

Original Members as nominated by the Committee of Selection

*Adams, Bacon, Carney, Dawson, Eyton, *Hays (or Fraser), Johnson,
LeBreton (or Comeau), Mercer, Merchant, Munson, Phalen, Tkachuk, Zimmer.

SPECIAL SENATE COMMITTEE ON AGING**Chair: Honourable Senator Carstairs****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

Carstairs, Chaput,	Cordy, * Hervieux-Payette (or Tardif),	Keon, * LeBreton (or Comeau),	Mercer, Murray.
-----------------------	---	----------------------------------	--------------------

Original Members as nominated by the Committee of Selection*Carstairs, Chaput, Cordy, *Hays (or Fraser), Johnson, Keon, *LeBreton (or Comeau), Mercer, Murray.*

SPECIAL SENATE COMMITTEE ON THE ANTI-TERRORISM ACT**Chair: Honourable Senator Smith****Deputy Chair: Honourable Senator Nolin****Honourable Senators:**

Andreychuk, Day, Fairbairn,	Fraser, * Hervieux-Payette (or Tardif), Jaffer,	Joyal, Kinsella, * LeBreton (or Comeau),	Nolin, Smith.
-----------------------------------	---	--	------------------

Original Members as nominated by the Committee of Selection*Andreychuk, Day, Fairbairn, Fraser, *Hays (or Fraser), Jaffer, Joyal,
Kinsella, *LeBreton (or Comeau), Nolin, Smith.*

CONTENTS

Tuesday, December 4, 2007

	PAGE		PAGE
SENATORS' STATEMENTS		QUESTION PERIOD	
L'Institut universitaire de gériatrie de Montréal		Public Works and Government Services	
Launch of New Internet Site.		Report on Review of Government Polling.	
Hon. Andrée Champagne	371	Hon. Céline Hervieux-Payette	375
		Hon. Michael Fortier	375
Halifax Explosion		National Capital Commission	
Hon. Sharon Carstairs	371	Gatineau Park.	
Barkerville		Hon. Tommy Banks	376
Hon. Lillian Eva Dyck	371	Hon. Marjory LeBreton	376
The Late Right Honourable Antonio Lamer, P.C., C.C.		Official Languages	
Hon. Céline Hervieux-Payette	372	French Language Services in Public Service.	
The Late Jane Rule, C.M., O.B.C.		Hon. Claudette Tardif	376
Hon. Nancy Ruth	372	Hon. Marjory LeBreton	376
Canadian Cancer Society		Special Adviser for the Consultations on Linguistic Duality and Official Languages—Appointment of Bernard Lord.	
Hon. Catherine S. Callbeck	373	Hon. Claudette Tardif	377
International Day for the Abolition of Slavery		Hon. Marjory LeBreton	377
Hon. Donald H. Oliver	373	Hon. Eymard G. Corbin	377
Visitors in the Gallery		Hon. Pierrette Ringuette	377
The Hon. the Speaker	373	Hon. Maria Chaput	377
The Senate		National Defence	
Introduction of New Pages.		Cost of Living Differential.	
The Hon. the Speaker	374	Hon. Roméo Antonius Dallaire	378
		Hon. Marjory LeBreton	378
		Afghanistan—Treatment of Detainees.	
		Hon. Jane Cordy	378
		Hon. Marjory LeBreton	378
		Legal and Constitutional Affairs	
		Study on Supreme Court Rulings.	
		Hon. Pierre Claude Nolin	379
		Hon. Joan Fraser	379
ROUTINE PROCEEDINGS		Delayed Answer to Oral Question	
Library of Parliament		Hon. Gerald J. Comeau	379
First Report of Joint Committee Presented.		Fisheries and Oceans	
Hon. Marilyn Trenholme Counsell	374	Peggy's Cove Lighthouse	
Medical Devices Registry Bill (Bill S-222)		Question by Senator Carney.	
First Reading.		Hon. Gerald J. Comeau (Delayed Answer)	379
Hon. Mac Harb	374		
Non-smokers' Health Act (Bill S-223)		ORDERS OF THE DAY	
Bill to Amend—First Reading.		Income Tax Amendments Bill, 2006 (Bill C-10)	
Hon. Mac Harb	374	Second Reading.	
Perfluorooctane Sulfonate Virtual Elimination Bill (Bill C-298)		Hon. Grant Mitchell	380
First Reading	375	Referred to Committee	382
Canada-United States Inter-Parliamentary Group		Criminal Code (Bill C-2)	
New England Governors and Eastern Canadian Premiers' Conference, June 25-26, 2007—Report Tabled.		Bill to Amend—Second Reading—Debate Adjourned.	
Hon. Jerahmiel S. Grafstein	375	Hon. Terry Stratton	382
Council of State Governments, Southern Legislative Conference, July 14-18, 2007—Report Tabled.		Hon. John G. Bryden	383
Hon. Jerahmiel S. Grafstein	375	Hon. Pierre Claude Nolin	383
The Senate		Hon. Joan Fraser	383
Notice of Motion to Urge Government to Establish National Portrait Gallery in National Capital Region.		National Blood Donor Week Bill (Bill S-220)	
Hon. Jerahmiel S. Grafstein	375	Third Reading.	
		Hon. Claudette Tardif	384
		Personal Watercraft Bill (Bill S-221)	
		Second Reading—Debate Adjourned.	
		Hon. Mira Spivak	384

	PAGE
Heritage Lighthouse Protection Bill (Bill S-215)	
Second Reading—Debate Continued.	
Hon. Catherine S. Callbeck	384
Hon. Gerald J. Comeau	384
Hon. Lowell Murray	385
National Philanthropy Day Bill (Bill S-204)	
Second Reading—Debate Continued.	
Hon. Andrée Champagne	385
Food and Drugs Act (Bill S-206)	
Bill to Amend—Second Reading—Order Stands.	
Hon. Ethel Cochrane	386
Parliamentary Employment and Staff Relations Act (Bill S-212)	
Bill to Amend—Second Reading—Debate Adjourned.	
Hon. Serge Joyal	386
Criminal Code (Bill S-213)	
Bill to Amend—Second Reading—Order Stands.	
The Hon. the Speaker.	388
Criminal Code (Bill C-299)	
Bill to Amend—Second Reading—Order Stands.	
Hon. Gerald J. Comeau	388

	PAGE
Rules, Procedures and the Rights of Parliament	
Third Report of Committee—Debate Adjourned.	
Hon. Wilbert J. Keon	388
Hon. Anne C. Cools.	389
Arthritis	
Inquiry—Debate Continued.	
Hon. Claudette Tardif	390
The Senate	
Motion Urging Governor General to Fill Vacancies—	
Debate Continued.	
Hon. David Tkachuk	391
Motion in Amendment.	
Hon. David Tkachuk	392
Hon. Tommy Banks	393
Hon. Joan Fraser	393
Hon. Donald H. Oliver.	393
Mine Ban Treaty	
Tenth Anniversary—Inquiry—Debate Adjourned.	
Hon. Elizabeth Hubley	394
Appendix	i



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