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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Tuesday, April 21, 2009

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

Prayers.

[Translation]

AFGHANISTAN—FALLEN SOLDIER

SILENT TRIBUTE

The Hon. the Speaker: Honourable senators, before we proceed, I would ask you to rise and observe one minute of silence in memory of Trooper Karine Blais, who was tragically killed recently while she was serving her country in Afghanistan.

(Honourable senators then stood in silent tribute.)

• (1405)

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in the gallery of the Honourable John Hogg, President of the Senate of Australia. He is leading a delegation of our colleagues from the Parliament of Australia to Canada.

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

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

JUNIOR ACHIEVEMENT OF PRINCE EDWARD ISLAND

Hon. Catherine S. Callbeck: Honourable senators, I am pleased to extend my congratulations to three outstanding entrepreneurs from my home province of Prince Edward Island who are being inducted later this spring into the Junior Achievement Business Hall of Fame. They have made tremendous contributions to the Island economy and play an integral role in the life of their communities. The three inductees are: Jim Casey, Chair of the Board of Padinox Incorporated; Ray Murphy, President of Murphy's Pharmacies; and Don Smith, President of Metro Building Supplies.

Jim Casey took over Padinox Incorporated in 1986 when it was facing financial difficulties, but because of his great business expertise and hard work, this company is now thriving in Canada and the U.S. The company manufactures the famous Paderno line

of cookware. I am told its products have even been used in the White House. He recently led a highly successful fundraising campaign for the province's central referral hospital and was one of its leading financial contributors.

Ray Murphy began with one pharmacy in 1981. Today, Murphy's Pharmacies, a household name in Prince Edward Island, consists of eight locations, five medical centres, health care and laboratory facilities, a health education centre and a community centre that provides entertainment and programming for all ages. He has received five national awards for health promotion, patient care and charitable work. In 2007, he was the recipient of the Canadian Pharmacist Association Centennial Award.

Don Smith established a building supply business in 1969 and has expanded it over the years to include a number of other enterprises, including manufacturing and real estate. He is a highly successful breeder of standardbred horses and Hereford cattle. Throughout the years, he has been very active in a number of community organizations. He attributes much of his success to a solid and loyal staff, and has earned the trust and confidence of his customers.

Honourable senators, small- and medium-sized businesses are the lifeblood of the Canadian economy. Those who have built these businesses deserve our support and praise. I commend and congratulate Junior Achievement of Prince Edward Island for recognizing and honouring these business leaders in this way. I am confident that their induction into the hall of fame, where they join other illustrious business leaders, will continue to inspire and inform new generations of entrepreneurs.

I ask all honourable senators to join with me in expressing our congratulations to these individuals and wish them all the best in the future.

• (1410)

JUNIOR ACHIEVEMENT OF NOVA SCOTIA

Hon. Fred. J. Dickson: Honourable senators, I rise today to pay tribute to upstanding Nova Scotians, Al MacPhee and Ralph Medjuck, who will be inducted into the Junior Achievement Nova Scotia Business Hall of Fame on June 16. The Junior Achievement Nova Scotia Business Hall of Fame celebrates the achievements of Nova Scotia business leaders while promoting and providing funds for Junior Achievement Nova Scotia. Since 1993, over \$1.5 million dollars has gone directly to the business education program for young people in Nova Scotia.

I am proud to say both gentlemen have strong Cape Breton roots. Mr. MacPhee hails from the Mira area of Cape Breton. He has worked in the Halifax auto industry starting in the 1960s. He now owns four dealerships employing over 400 people. He has mentored many within his own industry and has even supported start-ups in the non-automotive sectors. He was involved with

several business organizations including the Metropolitan Halifax Chamber of Commerce and BCA Investment Co-operative. He was invited by Premier MacDonald to sit on another Premier's Economic Advisory Council.

In addition to his substantial contribution to business in Nova Scotia, Mr. MacPhee has helped local charities and national organizations. He has served as chair of the Alderney Landing \$1.6 million capital campaign and the Parish Council of the Blessed Pope John XXIII Parish. He has sat on the boards for the Victoria General Hospital Foundation, the Dartmouth Natal Day Committee and the Neptune Theatre Foundation.

Mr. Medjuck is a real estate visionary. It was his driven personality that changed the skyline of Halifax as chair and CEO of Centennial Group Limited, a real estate development company with a local and national presence. Halifax has flourished since the 1950s under his innovative guidance. The company has developed and operated office buildings, hotels and apartments in major cities in Canada, particularly in Halifax with the Lord Nelson Hotel, the Prince George Hotel and the Cambridge Suites.

In 1954, after he earned his law degree, I had the pleasure of practising with Ralph in our firm of Medjuck, Buchanan and Dickson. He turned out to be a shrewder partner than both Buchanan and I as he was honoured in 2006 with a degree of Doctor of Laws from our alma mater, Dalhousie University.

Mr. Medjuck has also reached out into the community, having chaired the Halifax-Dartmouth United Appeal; the Neptune Theatre Foundation; the Canadian Jewish Congress, Atlantic Region; the United Jewish Appeal; and Camp Kadimah. He has also served as a director of the Nova Scotia Rehabilitation Council, the Canadian Mental Health Association, the Nova Scotia Human Rights Foundation, the Halifax Police Boys Club and the Young Presidents Organization, among many others.

Ralph Medjuck has been honoured with many awards and accolades. He firmly believes that all his success stems from the people who built the Centennial Group Ltd., noting that it is the respect and admiration of colleagues and a full belief in its people that makes a company successful.

Honourable senators, these gentlemen lead by example, demonstrating to all what can be accomplished through vision, determination and hard work. I ask all honourable senators to congratulate these gentlemen and their families on this fine honour.

WORLD INTELLECTUAL PROPERTY DAY

Hon. Joseph A. Day: Honourable senators, today I want to discuss the subject of intellectual property, including trademarks, patents and copyrights.

[Translation]

Today we celebrate World Intellectual Property Day. Intellectual property rights apply to non-tangible goods, such as patents, trademarks and copyright. The day is not officially celebrated until April 26, but since it falls on a Sunday this year, we decided to mark the occasion on Parliament Hill today.

[Senator Dickson]

World Intellectual Property Day was established by the World Intellectual Property Organization based in Geneva. This United Nations agency is focused on the understanding of and respect for intellectual property rights worldwide.

[English]

This afternoon, we will host members of the Intellectual Property Institute of Canada. The institute, founded in 1926, is the professional association of patent agents, trademark agents and lawyers who work in the area of copyright, patents, technology and the law. There are over 1,300 members of the Intellectual Property Institute of Canada practising within Canada and worldwide, including Australia. Some of us are no longer engaged in the act of practice, but continue to be interested in the good work of the institute.

• (1415)

The term "intellectual property" may be contrasted with real or personal property. Real or personal property is something tangible, like a house or a car, something you can hold or touch. Intellectual property is a non-physical legal right that can be enforced in the courts. It arises by virtue of original creativity, such as composing music or writing poetry. The creator of that work does not own each note or word but has the right to the arrangement of those notes or words.

We may all have an opportunity to delve into the world of intellectual property if the long-promised revision of the Copyright Act ever reaches this chamber. One of the main issues we will have to consider is the balancing of the creator's rights with the rights of the citizen to access and use works readily available by reason of the digital revolution in electronics.

As honourable senators know, an inquiry was raised in this chamber recently by Senator Cowan on the subject of science and technology. His remarks are well worth revisiting, in particular his emphasis on the importance of funding for research and development.

I invite honourable senators to visit with winners of regional science fairs as well as practitioners in the field of intellectual property between five and seven o'clock today in room 256-S.

THE HONOURABLE PATRICK BRAZEAU

CONGRATULATIONS ON BIRTH OF NEW CHILD

Hon. Hector Daniel Lang: Honourable senators, it is not often in this house that a member rises to welcome a new arrival to the Senate. I am pleased to report to all that Senator Brazeau's wife Quem gave birth to a baby boy on Thursday. All reports are that everyone is healthy.

Hon. Senators: Hear, hear!

CANADA SUMMER JOBS PROGRAM

Hon. Nancy Greene Raine: Honourable senators, Conservatives believe in teaching our children the values of hard work, thrift and responsibility. We know that many young Canadians need

to work part-time and at summer jobs in order to pay for post-secondary tuition. Unfortunately, it is not always easy for young people to get started in the workforce with a summer job, especially in these times of global economic recession. That is why our Conservative government is once again investing in young people and in communities all across Canada.

Our government is supporting younger Canadians by providing an additional \$20 million to the Canada Summer Jobs Program. This initiative provides funds to help small businesses and non-profit organizations create summer jobs for students. This investment is part of Canada's Economic Action Plan. Not only does it help students get the skills and work experience they will need in the years to come, but it also helps small companies and communities find the people they need now. In short, everyone wins.

This is a far-reaching program. Last summer we reached agreements with over 20,000 organizations to help to create nearly 36,000 summer jobs for students. Creating summer jobs is just one way in which we have assisted younger Canadians. Our government exempted scholarship, fellowship and bursary money from federal income tax. We brought in a tax break for new textbooks, and we are improving both the student loans and student grants programs. By creating jobs and opportunities for young Canadians, our government is tackling the global recession and laying the groundwork for future prosperity.

HOLOCAUST REMEMBRANCE DAY

Hon. Yoine Goldstein: Honourable senators, the philosopher and historian George Santayana taught us that those who forget the lessons of history are condemned to relive it.

Today is Yom Hashoah, the day of remembrance of the Holocaust that witnessed the virtual destruction of European Jewry and the wanton murder of 6 million Jews solely because they were Jews.

• (1420)

April 21 is also the date that corresponds to the anniversary of the Warsaw Ghetto Uprising, which is the twenty-seventh day of Nissan on the Jewish calendar. In English, the full name of Yom Hashoah is Remembrance Day for the Holocaust and Heroism, the commemoration of the destruction of European Jewry and a day of recognition for the heroism of those Jews who somehow procured arms and fought the Nazi murderers.

Yet, 6 million innocent lives were snuffed out; the number defies imagination. Of the 6 million people who were destroyed, 1.5 million were children. It is not hard to imagine how many artists, writers, musicians, mathematicians, doctors, geneticists, teachers, scientists and researchers would have come from those destroyed lives.

It is an overwhelming and heart-rending truth, one that led to a simple and unfortunately unobserved dictum: Never again.

However, our world continues to witness genocides again and again; and when efforts are made to bring the perpetrators of these genocides to justice, many of them are protected by their colleagues in human rights abuses.

Perhaps typically, Omar al-Bashir, the ruler of Sudan, has been indicted by the International Criminal Court and a warrant is out for his arrest. However, two weeks ago, he travelled freely to a meeting of the Arab League and was encouraged by those in attendance rather than being condemned by them.

The global village seems to be unable to put a stop to genocide. Canadians pay lip service to the Responsibility to Protect, R2P, the doctrine supported by Canada that all states have an obligation to intervene when any state is unable or unwilling to protect its own subjects. Aside from a feeble effort in Kosovo, that Responsibility to Protect doctrine has remained a dead letter. As a result, hundreds of thousands of innocent people have been murdered in Darfur, and unnoticed mass murder is going on in the Congo. China continues to abuse human rights, and when it killed peaceful protesters in Tibet last year shortly before the Olympics, the world turned a blind eye.

The biblical prophets of old — Jeremiah, Isaiah and others — preached social justice and peace. They were paid no heed. Can we now examine our own consciences and at least speak out against genocide and against the abuse of human rights?

The Holocaust started with mere words, words which we find repeated in Europe and, yes, unfortunately in Canada, as barely disguised anti-Semitism. Yesterday, Mahmoud Ahmadinejad, whom I call "Ahme-genocide," in addressing Durban II in Geneva, again spouted anti-Semitic and destructive slogans. While the representatives of European countries walked out in protest, the bulk of the delegates applauded.

The dictum of Santayana is right: Those who forget the lessons of history are condemned to relive it. Are we paying attention?

[Translation]

ROUTINE PROCEEDINGS

PUBLIC SAFETY

CANADIAN SECURITY INTELLIGENCE SERVICE—
2007-08 PUBLIC REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Public Report of the Canadian Security Intelligence Service (CSIS) for the fiscal year 2007-08.

[English]

AGING

THIRD REPORT OF SPECIAL COMMITTEE TABLED

Hon. Sharon Carstairs: Honourable senators, I have the honour to table the third and final report of the Special Senate Committee on Aging entitled: *Canada's Aging Population: Seizing the Opportunity*.

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

(On motion of Senator Carstairs, report placed on the Orders of the Day for consideration two days hence.)

INDIAN OIL AND GAS ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-5, An Act to amend the Indian Oil and Gas Act.

(Bill read first time.)

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

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

• (1425)

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

PARLIAMENTARY ASSEMBLY
OF THE COUNCIL OF EUROPE—ECONOMIC AFFAIRS
AND DEVELOPMENT COMMITTEE MEETING
AND 2009 ORDINARY SESSION, JANUARY 22-30, 2009—
REPORT TABLED

Hon. Yoine Goldstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Canada-Europe Parliamentary Association, respecting its participation in the Meeting of the Committee on Economic Affairs and Development of the Parliamentary Assembly of the Council of Europe and the First Part of the 2009 Ordinary Session of the Parliamentary Assembly of the Council of Europe, held in London, United Kingdom and Strasbourg, France, from January 22 to 30, 2009.

Honourable senators, may I have leave of the Senate to say just 30-seconds' worth of words about Senator Milne's involvement in the Canada-Europe Parliamentary Association?

Hon. Senators: Agreed.

Senator Goldstein: The honourable senator was not able to attend the last two sessions, for a variety of legitimate reasons. She was and is the spark plug of this parliamentary committee. When she was not able to attend, I was asked by a dozen parliamentarians, perhaps more, where she was, how she is doing and to give her their regards.

Senator Milne is held in tremendously high esteem and honour. She is a paragon of extraordinary commitment and devotion to this committee. She is a wonderful human being, a wonderful committee member, and an absolutely wonderful person of whom to be proud when we travel to Europe.

SEVENTEENTH ANNUAL SESSION OF THE OSCE PARLIAMENTARY ASSEMBLY— JUNE 29-JULY 3, 2008—REPORT TABLED

Hon. Consiglio Di Nino: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Canada-Europe Parliamentary Association, OSCE, regarding the Seventeenth Annual Session of the OSCE Parliamentary Assembly, held in Astana, Kazakhstan, from June 29 to July 3, 2008.

FALL MEETINGS OF THE OSCE PARLIAMENTARY ASSEMBLY—SEPTEMBER 18-21, 2008—REPORT TABLED

Hon. Consiglio Di Nino: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Canada-Europe Parliamentary Association, OSCE, regarding the Fall Meetings of the OSCE Parliamentary Assembly, held in Toronto, Canada, from September 18 to 21, 2008.

RULES OF THE SENATE

NOTICE OF MOTION TO AMEND RULES 86(1)(R) AND 86(1)(T)

Hon. Colin Kenny: Honourable senators, I give notice that, two days hence, I will move:

That the *Rules of the Senate* be amended:

- (1) In rule 86(1)(r), by deleting the words “, including veterans affairs”: and
- (2) By adding, after rule 86(1)(t), the following:

“(u) The Senate Committee on Veterans Affairs, composed of twelve members, four of whom shall constitute a quorum, to which may be referred, as the Senate may decide, bills, messages, petitions, inquiries, papers and other matters relating to veterans affairs generally.”.

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Bill Rompkey: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I move:

That the Standing Senate Committee on Fisheries and Oceans have the power to sit at 6 p.m., on April 21, 2009, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1430)

FISHERIES ACT

CESSATION OF SEAL HUNT— PRESENTATION OF PETITIONS

Hon. Mac Harb: Honourable senators, it is my honour to introduce petitions signed by Canadians in the Province of Quebec, requesting that the Government of Canada amend the Fisheries Act to end Canada's commercial seal hunt.

QUESTION PERIOD

SCIENCE AND TECHNOLOGY

FUNDING

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

Last week, some 2,000 scientists and researchers sent an open letter to the Prime Minister urging him to reverse his funding cuts to science and research. For the record, the government's latest budget cut almost \$148 million from three granting agencies that fund research at Canada's universities.

Honourable senators, last week we also learned that the government is willing to spend money but only in certain circumstances. It was revealed that the government hired Ari Fleischer, former press secretary to former President George W. Bush; and Mike McCurry, who held the same job for former President Bill Clinton. These two men have been given the task of securing media interviews in the U.S. for the Prime Minister.

Honourable senators, why is it that this government can find money to help the Prime Minister obtain interviews in the *Wall Street Journal*, on Fox News and on CNN but they are cutting back on research funding? When will this government get its research funding straight?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank the honourable senator for the two-part question. With regard to the science and technology funding, nothing could be further from the truth. The government put \$5.1 billion in the Economic Action Plan for science. I would be happy to put on the record the various areas where the government has committed significant funds to science.

It was brought to my attention earlier today that a number of scientists will be coming to Canada from Great Britain. Obviously, Canada is a very attractive destination for scientists.

Honourable senators, regarding the communications policy of the government and the hiring of Mike McCurry and Ari Fleischer, it is in our overall interest to have Canada's story properly told to our American friends. The proof is that while working closely with our neighbours to the South and with the Obama administration, Canada has received a great deal of positive exposure, which is good for all Canadians.

This country is reliant on our neighbours to the South to buy our products and it is in our interest for our American friends to understand the value of their neighbours to the North. Hopefully, this will help in their understanding of the Canadian economy. It is obvious that the American economy is very important to Canada. Recovery there is important because, despite doing all this work, we still rely on the American markets.

Senator Cowan: To be clear, the Statistics Canada data shows that total federal funding for science and technology in Canada has declined since 2006. Once the numbers are adjusted for inflation, federal funding for science and technology was \$385 million less in 2008 than it was in 2005. This is occurring at a time when other countries are investing in science and technology to prepare for the day the economy recovers. We hope that day comes as soon as possible.

Will the leader please tell this chamber why this government will not do the same as other governments? Why has this government decided to pay Ari Fleischer to use his connections to get the Prime Minister on Fox News, instead of investing in our Canadian researchers to help secure our long-term prosperity?

• (1435)

Senator LeBreton: Honourable senators, I do not think the decision with regard to Mike McCurry, who worked for President Clinton, and Ari Fleischer, who worked for President Bush, in any way diminishes our commitment to the science community. We support science and technology.

The Prime Minister launched our Science and Technology Strategy in May 2007. In February of this year, the Minister of State for Science and Technology announced an investment of \$120.4 million to fund 134 Canada Research Chairs at universities across the country. Our support for basic, discovery-oriented research will advance scientific knowledge. We have invested billions of dollars in research and development since 2006, and our Economic Action Plan makes over \$5 billion in new investments, including \$750 million in the Canada Foundation for Innovation; \$50 million in the Institute for Quantum Computing; \$3.5 million over two years in Industrial Research and Development Internships; and \$87 million over two years for Arctic research.

There is also a \$2-billion Knowledge Infrastructure Program for the renewal of college and university infrastructure, which has been well received and lauded by many universities across the country. On April 8, we announced the first round of projects to qualify under the program in British Columbia. These investments total more than \$450 million for 29 projects at post-secondary institutions throughout the province, such as the renewal of the Shrum Science Centre at Simon Fraser University.

PRIME MINISTER'S OFFICE

CONSULTANCY FEES

Hon. Grant Mitchell: Honourable senators, can the leader give us a specific dollar figure for how much Mr. Harper is spending for media consultants to get himself on what I describe as “right-wing U.S. media,” not in order to speak to Canadians, but instead to speak to — and again I have to say it — a right-wing American constituency?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): That question is so typical of Senator Mitchell's biased and one-sided point of view. He carefully focused on one individual and one network. The truth is that the Prime Minister has appeared on all of the networks in the United States, as well as in such well-known “conservative” media as *The New York Times*.

Since the honourable senator seems to be interested in bashing conservative networks in the United States, he will be disappointed to learn about an MSNBC report yesterday describing how Prime Minister Harper came to the defence of President Obama on these conservative shows. They were critical of President Obama at the Summit of the Americas, and the Conservative Prime Minister of Canada came to the defence of President Obama. Of course it will disappoint the honourable senator greatly to hear such information.

Senator Mitchell: I will grant that Mr. Harper has spent time on every American broadcast outlet. In fact, one could argue that he spent more time in the media down there than he has in the media up here.

Can I ask the leader to focus. We have seen this dance all around the edges so many times. I want a specific answer to a specific question.

How much has Mr. Harper spent on media consultants to put himself in front of the U.S. media? By the way, is he running to be president of the United States?

Senator LeBreton: I know it is terribly disappointing to my colleagues opposite that we are developing a good relationship with the government of the United States. It hurts, and they are faced with a dilemma.

• (1440)

However, having said that, and with my colleagues just reminding me, I will ask how much did it cost the Liberal Party of Canada to pay out of their hard-earned donor dollars to have a picture of Michael Ignatieff rolling around on some JumboTron in Times Square?

Senator Mitchell: If the leader wants to get into how many taxpayer donor dollars this Conservative Party has spent on attack ads that demean the entire political process, we will talk about that. However, I will get back to the point.

Can the leader tell us how much money — in the interests of the accountability and transparency the leader talks about so often as underlining the very values of her party — was spent on media consultants to get the Prime Minister on U.S. television and not Canadian television so he could speak to an American constituency?

Senator LeBreton: Honourable senators, if we are going to ask questions then perhaps I could ask the honourable senator a question as to how much, if his leader ever gets a chance, will he raise taxes as he said he is going to do, which taxes and who will pay for them — the poor Canadian taxpayer?

An Hon. Senator: You will be able to ask questions next year.

INDUSTRY

GOVERNMENT SUPPORT OF AUTOMOBILE INDUSTRY

Hon. Yoine Goldstein: Honourable senators, the automobile industry has been losing money for many years. One would expect that under ordinary circumstances that should tell them that they are doing something wrong. Apparently, they think they are not doing anything wrong and our government thinks the same way. We now discover that this government intends to throw another number of billions of dollars into the industry in the vain hope that it will somehow get fixed by a mere infusion of cash.

If jobs were to be saved by this infusion I would not be on my feet, but the money that is being thrown at the automotive industry by this government is taxpayers' money that goes directly and immediately to the benefit of American taxpayers. The Canadian government has received absolutely no security or guarantee for the money it has thrown at the industry because all of the Canadian companies' assets are mortgaged in favour of the American parent. Canada has very useful restructuring legislation on the books, although this government has still not proclaimed the bulk of that legislation. It is called the Companies' Creditors Arrangement Act.

Rather than simply throwing more money at the automotive industry, will the government tell the automobile industry to seek court protection under the Companies' Creditors Arrangement Act and, under that umbrella, do a proper restructuring with creditors, labour, suppliers and, most important, within their governance and their executive officers to make the Canadian automobile industry viable?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, I will keep a copy of that question and find out if that is actual official policy of the Liberal Party, although they have no policy. There are all kinds of criticisms but no policies.

I detect in the honourable senator's question a troubling tone, in that he was suggesting this was going to be to the total benefit of the American auto industry. I do not know where the Honourable Senator Goldstein has been, but the auto industry is vital to Canada and not only to Ontario where it is largely centred but also through the trickle-down effect to the economy across the country.

Canada produces 20 per cent of the market even though we do not have 20 per cent of the purchases in Canada. Obviously many of our automobiles cross the border. The intent of the government has always been to secure, maintain and make sure that our 20 per cent remains intact. It may not be well-known to the honourable senators opposite but, in addition to that, a large

number of auto parts manufacturers are located in the province of Ontario. The health of the Detroit Three, as they are now called, is vital to our economy, especially for these auto parts.

• (1445)

I think Minister Clement has been very clear. Chrysler has been given a deadline date of April 30. As his colleague, I am proud of the way the minister has portrayed the situation insofar as Canada and the government are concerned. In all of this, Minister Clement and the government have worked closely with and appreciated the cooperation of the Government of Ontario and also our counterparts in the United States. Ours is an integrated market, an integrated problem, and together we will work to resolve this issue.

Of course, we are mindful of Canadian tax dollars. That is why, especially in the Chrysler case, the April 30 deadline is looming large because, as the minister stated, we will not put Canadian tax dollars at risk if they do not come to a resolution of their situation.

Senator Goldstein: With respect, I do not think the Leader of the Government in the Senate comprehended my question. The fact of the matter is that every single economist in this country has said that the money that has been thrown at the automotive industry by the Canadian government has not achieved the effect of securing a single Canadian job. That is the reality. If it were securing Canadian jobs, I would not be on my feet. It is not doing so. We have a statute that helps ailing companies reorganize themselves, organize their governance, reorganize their contracts and make them viable. Will this government, in throwing money at this industry, insist that the industry make use of this existing legislation?

Senator LeBreton: When the honourable senator talks about jobs, obviously the auto sector is in some difficulty, especially Chrysler and General Motors. Even Honda and Toyota, who have operations in Canada, have seen this worldwide economic situation impact their business.

Ford Motor Company has not asked for government assistance either in the United States or in Canada. However, if the honourable senator has been following the statements made by the leadership at Ford, they are very concerned as well about the health of the overall industry because of jobs. There is also concern for those who manufacture auto parts for all automobile producers, whether it be Ford, General Motors, Chrysler, Honda or Toyota.

A restructured industry will have a different job picture, but this is an integrated market. It is no secret that vehicles often cross the border several times before the finished product.

• (1450)

As I mentioned earlier, these are loans and not tax dollar giveaways to the auto industry. They have deadlines to meet. I think this is an example of three different governments — the United States government, the Government of Ontario and the Government of Canada — working cooperatively with the auto sector to resolve a serious problem created by a whole host of reasons, much of it due to the global economic downturn.

However, I do not think it is in the interests of any of us to be throwing around allegations or making the matter worse by somehow suggesting that the government should withdraw from any of these negotiations. As I said at the beginning, the government always knew it would be involved in these negotiations with regard to the auto sector primarily because we want to maintain Canada's 20-per-cent share. That is what the government is attempting to do. Of course, that share also impacts on jobs and, more particularly — I think this is something that people overlook — the important auto parts manufacturing sector, which disproportionately, I believe, is in Canada.

[Translation]

Hon. Céline Hervieux-Payette: There is certainly nobody in the Liberal Party who opposes helping the auto industry, but we are questioning the quality of your government's administration.

Unsecured loans get tossed overboard if a company goes bankrupt a few weeks later. Can the Leader tell us how Canadians' investment interests will be protected? Will they get preferred shares or a lien on the company's assets in return? Will Canadians' money be protected as well as Americans' investments? The Americans made sure that their government's investments included worldwide liens on these companies' property. There will be nothing left for the Government of Canada. Is the government negotiating a blank cheque? Does the leader realize that Canadians will not get a cent in return?

[English]

Senator LeBreton: I do not know where the honourable senator obtains her information that we are providing a blank cheque. Nothing is further from the truth.

The fact of the matter is, from the beginning, Minister Clement, on behalf of the government, has met in many cases almost daily with his counterparts in the United States and is working closely with the Government of Ontario. In an effort to assist the auto sector, as the honourable senator knows, the government added \$700 million to the Export Development Canada accounts receivable insurance program, which speaks to the importance of the auto suppliers.

The Canadian Secured Credit Facility has delivered up to \$12 billion to support vehicle financing and equipment purchase as part of its extraordinary financing framework announced in the Economic Action Plan.

It is important to note that these funds are loans. We are supporting the auto sector and any restructuring or whatever that develops out of the talks, especially now between Chrysler, the CAW and Fiat. These funds are not blank cheques; they are callable loans.

VETERANS AFFAIRS

SURVIVOR BENEFITS

Hon. Lorna Milne: Honourable senators, section 15 of the Canadian Charter of Rights and Freedoms states:

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without

discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Given that fact, can the Leader of the Government in the Senate explain why there is still a rule in the Canadian Forces and the RCMP pension plans denying automatic survivor benefits to a spouse when the member marries after 60 years of age?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I will take Senator Milne's question as notice.

• (1455)

Senator Milne: Perhaps the Leader of the Government in the Senate can also take this supplementary question as notice, because I do not think that anything we hear will be of much comfort to Canadians like Sandra Anderson from St. George, New Brunswick. When her late husband Jack, a retired master warrant officer and a 33-year veteran in the Armed Forces, died in November 2008 she was denied survivor benefits simply because they were married after Mr. Anderson passed the age of 60.

That rule was brought into place as a result of the Boer War. If any of the women here had lived at that time we would not have been considered a person under Canadian law. Times have changed, and this rule needs to be eliminated. It is archaic, disrespectful and unconstitutional. As a reality check on how archaic it is, I remind honourable senators that the average life expectancy in North America at the time of the Boer War was 48.

I hope that the Leader of the Government in the Senate will honour the Constitution, veterans and seniors by demanding from her cabinet colleagues the changes necessary to ensure that people like Sandra and the late Jack Anderson are no longer discriminated against on the basis of age.

Senator LeBreton: Honourable senators, I am happy to take that question as notice.

In all of my years in Parliament, but certainly as Leader of the Government in the Senate, I never expected to answer a question about something that goes back as far as the Boer War. I will check who the government was at the time.

I take the senator's question seriously and I will be happy to provide an answer.

Senator Milne: I am sure that the Leader of the Government in the Senate will discover it was a Liberal government in power at that time; however, people live considerably longer today and I do not think one can go back that far to blame it on Liberals.

Senator LeBreton: We are blamed for a lot of things we do not do, as well.

AGRICULTURE AND AGRI-FOOD

FERTILIZER AND PESTICIDE REGULATION

Hon. Francis William Mahovlich: Honourable senators, a few weeks ago I met with members of the Canadian Association of Agri-Retailers and I was surprised to learn of a few pressing

issues, important both to the agri-retail industry and to Canadian safety and security as a whole that are seemingly ignored by the federal government.

Many farmers across the country use various fertilizers and pesticides that, in the wrong hands, can be used for sinister purposes such as terrorist acts or drug production. Various government and industry bodies have put forth security requirements on a product-by-product basis, which retailers say are difficult to implement since they do not fall under a single protocol and may result in regulatory conflict, redundancy and unnecessary expense. Further, these problems may potentially result in increasing costs for farmers, which in turn will most certainly increase the prices Canadians must pay at the grocery store.

As a solution to these concerns, the agri-retail industry has created a security plan that is ready to implement, and has called on the federal government to share the cost of ensuring the safety of Canadians. Without a doubt, there is precedent for the government to pay the cost of security for Canadians. The agri-retail industry is not asking for the government to pay all costs but rather to share them, just as our neighbours in the United States have done when faced with these same problems.

One would think that, of course, the federal government's top priority is keeping Canadians safe. I have learned, however, that no cabinet minister in the federal government has been willing to meet with the Canadian Association of Agri-Retailers to discuss these concerns.

When a meeting has been requested, the agri-retailers are commonly referred to the Minister of Agriculture and Agri-Food under whose jurisdiction this falls. The agriculture minister, however, has stated that his previous commitments prevented him from meeting with the CAAR. I think there is something wrong when a minister in the Canadian government is too busy to address issues that affect the safety of Canadians.

• (1500)

When will the federal government take these concerns seriously and work with the agri-retail industry to protect the safety of Canadians and Americans?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, I realize we are short on time. I would be happy if the honourable senator would provide me with a copy of the recommendations. I find it hard to believe that the industry would make a request that was not be acted upon. However, I will be happy to look into it.

Senator Mahovlich: I wish the honourable senator would look into the matter as quickly as possible, so that I could give her a compliment.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, three answers to oral questions. The first was raised by Senator Jaffer on January 29, 2009, concerning citizenship and

immigration, recognition of foreign credentials. The second was raised by Senator Hubley on February 25, 2009, concerning national defence and foreign affairs, landmines and cluster munitions and the convention on cluster munitions. The third was raised by Senator Sibbeston on March 5, 2009, concerning Indian Affairs and Northern Development, location of proposed northern development agency.

CITIZENSHIP AND IMMIGRATION

RECOGNITION OF FOREIGN CREDENTIALS

(Response to question raised by Hon. Mobina S. B. Jaffer on January 29, 2009)

a) Insofar as Citizenship and Immigration Canada (CIC) is concerned, foreign credential recognition remains a high priority for the government. As stated in the Speech from the Throne in November, the federal government will work closely with the provinces and the territories to speed up the foreign credential recognition process. Foreign credential recognition was a topic of discussion at the First Ministers' Meeting on January 16, 2009. Provincial/territorial and federal labour market ministries committed to developing a Pan-Canadian framework for foreign credential recognition and an implementation plan by September 30, 2009.

Since its creation in May 2007, the Foreign Credentials Referral Office (FCRO), in partnership with Service Canada, Human Resources and Skills Development Canada (HRSDC), Health Canada and other partners, has made steady progress on its mandate to provide information, path-finding and referral services to foreign-trained individuals in Canada and overseas through a dedicated Web site, phone and in-person services, as well as services overseas. Results to date include:

- From May 2007 to November 2008, in-person services have been provided to over 39,000 clients seeking FCRO-related information across Canada (330 Service Canada Centres and 216 outreach sites). Telephone services have been provided to 3,700 callers nationwide (Service Canada call centre).
- FCRO Web site (www.credentials.gc.ca), which includes the Working in Canada tool, has received over 550,000 visits, the majority originating overseas.
- Overseas services are currently being provided through a pilot project funded by HRSDC and led by the Association of Canadian Community Colleges in China, India and the Philippines. Service in these three locations has been in place since the fall of 2007 and covers 47 per cent of the global pool of approved Federal Skilled Workers and 53 per cent of Provincial Nominees.

b) Budget 2009 recognized the efforts of the FCRO and the Foreign Credential Recognition Program (FCRP) towards addressing barriers to foreign credential recognition in Canada and has provided \$50M to support the work of designing and implementing a common framework.

The decision-making process by which the Government came to allocate the sum of \$50 million to foreign credential recognition is protected by Cabinet confidence. However, we can confirm that for several years, the Government of Canada has made investments towards fostering national approaches to the recognition of foreign credentials. The FCRO at CIC and the FCRP at HRSDC and the Internationally Educated Health Professionals Initiative at Health Canada are the main initiatives that can be used to attain federal objectives.

- The Foreign Credentials Referral provides information, path-finding and referral services to internationally trained individuals in Canada and overseas.
- The Foreign Credential Recognition Program funds initiatives that will improve assessment and recognition processes.
- The Internationally Educated Health Professionals Initiative develops and implements programs that build capacity and promote a consistent approach to integrating internationally educated health professionals into the Canadian labour market.

After careful examination of results to date, the Government has committed a further \$50M over two years as an additional contribution towards supporting the development and implementation of a national foreign credential recognition framework.

At the request of Central Agencies, the FCRO at CIC and the FCRP at HRSDC have prepared the appropriate documentation to access the funds announced in Budget 2009. The FCRO and the FCRP have not received funding for this initiative yet and as such, it is premature to discuss progress to-date. However, both departments have participated in a federal, provincial, territorial meeting in February 2009 to develop a critical path to achieve the goal stated in Budget 2009. This initial step is key in establishing trust, partnership and momentum to deliver on national foreign credential recognition framework.

NATIONAL DEFENCE FOREIGN AFFAIRS

LANDMINES AND CLUSTER MUNITIONS— UNITED NATIONS CONVENTION ON CLUSTER MUNITIONS

(Response to questions raised by Hon. Elizabeth Hubley on February 25, 2009)

Canada has played a leading role in the establishment and the implementation of the Ottawa Convention on anti-personnel mines. Canada was also active in the negotiation of the new Convention on Cluster Munitions (CCM) in 2008 and Protocol V of the Convention on Certain Conventional Weapons (CCW) concerning explosive remnants of war (ERW) in 2003. Canada was pleased to be among the 94 countries that signed the Convention on Cluster Munitions in December 2008 and

preparations are underway to seek ratification of this treaty. Ratification of Protocol V of the CCW was approved by Cabinet in November 2008. The Protocol was tabled in the House of Commons February 6, 2009 for 21 sitting days. The Minister of Foreign Affairs will formally ratify the Protocol in the near future.

The Ottawa Convention, the Convention on Cluster Munitions and the Convention on Certain Conventional Weapons, *inter alia*, impose legal obligations upon States Parties in a position to do so to assist other States Parties in need to meet their treaty obligations with respect to land clearance, stockpile destruction the provision of services to rehabilitate victims.

The Canadian Landmine Fund, which provided \$172M in funding over 10 years from 1999, concluded in March 2008. In 2007, it was agreed that the Department of Foreign Affairs and International Trade (DFAIT) and the Canadian International Development Agency (CIDA) will seek to maintain Canadian support for mine action at approximately traditional levels, \$30M per year, on a cost-share basis, as part of normal operations. The Global Peace and Security Fund (GPSF) was identified as the source of funding for mine action and all ERW-related activity supported by DFAIT.

In fiscal year 07/08, \$14M of the GPSF was used to support ERW-related activities. This was in addition to an approximately \$1M final contribution from the Canadian Landmine Fund for a total \$15M from DFAIT.

At the same time, CIDA's contribution to mine action was \$35M last year for a total Canadian contribution of approximately \$51M in fiscal year 07/08. It is estimated that Canada's total contribution for the current fiscal year will be approximately \$42M.

In addition, since 1998 Canada has provided more than \$6,400,000 to support the activities of Mines Action Canada (MAC), one of Canada's leading partner NGO organizations in advocacy for the universalization and full implementation of the Ottawa Convention, including \$104,000 in 2008/2009.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

LOCATION OF PROPOSED NORTHERN DEVELOPMENT AGENCY

(Response to question raised by Hon. Nick G. Sibbeston on March 5, 2009)

Other regional development agencies within the federal government have their head offices in the regions they serve. For example, the head office of Western Economic Diversification is located in Edmonton.

While the location of the head office of the new Northern economic development agency has not yet been announced, there will be offices in all three territories, and one in the National Capital Region. It is anticipated an announcement concerning location of the head office will be made in the near future.

The timing of establishment of the agency is the prerogative of the Prime Minister; it is expected it to be established as early as this summer.

[English]

QUESTIONS OF PRIVILEGE

NATIONAL SECURITY AND DEFENCE COMMITTEE— SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, I wish to deal with two questions of privilege that arose in the previous session.

On April 1, Senator Wallin rose on a question of privilege, pursuant to rule 59(10). Her complaint focused on the fact that the Standing Senate Committee on National Security and Defence, of which she is deputy chair, had been unable to establish a Subcommittee on Veterans Affairs. This, in her view, was an obstruction, preventing the committee from dealing with a critically important topic. As became apparent during the course of discussion, the committee had met in camera earlier that day to consider whether to establish a subcommittee. At that meeting, a senator had moved a motion that would have resulted in the Senate being asked to establish a separate standing committee on veterans affairs. An amendment was then moved that, until such a standing committee is established, the topic be dealt with in a subcommittee. This amendment was debated but no decision was reached before the meeting was adjourned due to the sitting of the Senate.

Senator Kenny, the chair of the committee, questioned the assertion and that there was an attempt to block a decision on the issue of veterans affairs. Instead, there was a disagreement as to the best way to deal with this subject, whether in a subcommittee or in a stand-alone committee.

Senator Tkachuk then explained his preference to send a letter raising the idea of a separate committee to the Rules Committee, which is reviewing the committee structure. Senators Moore and Manning also spoke on the matter before Senator Fraser concluded discussion. She saw this as the kind of debate that sometimes occurs when there is disagreement on how to proceed. She felt that the matter was, if anything, a question of order rather than a question of privilege.

[Translation]

When faced with a claimed question of privilege the Speaker's role is to determine whether it has any *prima facie* merit, referring, *inter alia*, to the criteria set out in rule 43(1). These criteria require that the matter be raised at the earliest opportunity; that it directly concern the privileges of the Senate, a committee, or a senator; that a genuine remedy be sought, for which no other parliamentary process is reasonably available; and that the question of privilege seek to correct a grave or serious breach.

Honourable senators, these criteria sometimes require that the Speaker engage in an in-depth analysis of the purported question of privilege. In other cases, however, such extensive analysis is unnecessary.

[English]

Though it is clear that Senator Wallin, availing herself of rule 59(10), raised the matter at the earlier opportunity, does this case, in fact, involve privilege? This is the second criteria. There appears to be disagreement as to how the topic of veterans affairs, which all interveners recognized as important, should be dealt with at the committee level. One proposal was made, an amendment was suggested, and the time for that particular meeting ran out before a decision was reached. There is nothing out of the ordinary in this. Senators often have disagreements about how to deal with issues, either in the chamber or in committee, and the requirement of automatic adjournment in this particular situation was a function of the rules. This case was a result of senators exercising their right to speak.

[Translation]

If there is an issue here, and this is not certain, it might be one of order. It would therefore be more appropriate to raise it in committee, as committees are normally masters of their own proceedings.

[English]

Since based on the information provided, nothing seems to have occurred in committee that violated privilege, it is not necessary to evaluate the final two criteria and the ruling is that there is no *prima facie* case for a question of privilege.

REMARKS DURING INQUIRY INTO THE CESSATION OF COMMERCIAL SEAL HUNT—SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, on April 1, Senator Harb rose on a question of privilege to complain of words spoken the previous day in debate, while he was speaking to an inquiry on the cessation of the commercial seal hunt. These remarks are to be found at page 560 of the *Debates of the Senate* of March 31. They were made following Senator Harb's confirmation that the International Fund for Animal Welfare had taken him to view the seal hunt. An unidentified senator had called out "bought and sold." Senator Manning also made some comments. Senator Harb felt that these interventions amounted to an inappropriate attempt to silence him. He indicated that in accepting the opportunity to observe the seal hunt, he had followed relevant rules and made the proper declarations. A press release had even been issued. On this basis, Senator Harb asserted that he had acted correctly, and had in no way sought to hide his actions.

Senator Harb referred to rule 43(1), explaining how he felt he had met the criteria for establishing a *prima facie* question of privilege. He also referred to rule 51, which prohibits "personal, sharp or taxing speeches," and rule 52, which allows "A Senator considering himself or herself offended or injured in the Senate, in a committee room, or in any of the rooms belonging to the Senate to appeal to the Senate for redress." Finally, he mentioned rule 53, which deals with exceptional words and their retraction.

[Translation]

Senator Stratton then rose to argue that Senator Harb should have fulfilled the written and oral notice requirements of rule 43, since the complaint involved remarks made the previous day. As

such, he saw a difference between Senator Harb's alleged question of privilege and the one raised by Senator Wallin earlier that day. Senator Harb could have given notice, Senator Wallin could not have done so.

Senator Manning then spoke. While recognizing that the exchange on March 31 had been heated, he denied having said that Senator Harb had been "bought and sold." After this, Senator Fraser intervened, emphasising the need for moderation when senators engage in heckling, but also challenging Senator Stratton's assertion that Senator Harb should have complied with rule 43, since rule 59(10) allows a question of privilege to be raised without notice, without restriction. Finally, Senator Milne confirmed that she was the one who had uttered the words "bought and sold" and then retracted them for the record.

[English]

Honourable senators, before dealing with the particular matter of this question of privilege, the chair would again urge all honourable senators to use temperate language to help maintain order and decorum. Honourable senators should avoid unnecessarily impugning the motives of other senators. With respect to the issue of receiving support from outside bodies, processes exist to address any concerns that may arise, and they should be followed, if required and if appropriate.

Turning now to the specifics of this case, there is the initial and critical issue of whether Senator Harb should have provided notice under rule 43. In the two recent instances when rule 59(10) was invoked — the March 26 case raised by the Leader of the Opposition and the April 1 case raised by Senator Wallin — there was a justification provided as to why notice under rule 43 was not given. Having given this explanation, the usual process for establishing whether there was a *prima facie* question of privilege was followed. With respect to Senator Harb's question of privilege, however, there was no stated reason why rule 59(10) was used, instead of giving notice under rule 43. Since the matter involved an incident that had occurred the previous day, Senator Harb should have availed himself of rule 43.

• (1510)

[Translation]

Honourable senators, rule 43 details a process for written and oral notice to properly raise a question of privilege. All of these are imperative, and are meant to be used. Unless the Senate makes a deliberate decision to change rule 43, rule 59(10) will only remain available for questions of privilege that arise out of circumstances that prevent a senator from providing the notices required under rule 43. To do otherwise would render the rule meaningless. Such a reversal of the clear obligations contained in the rules requires a deliberate and positive decision of the Senate.

[English]

With respect to the substantive matter of the question of privilege, the Speaker's role is to review the case and determine whether there is a *prima facie* case for a question of privilege, guided, *inter alia*, by the four criteria identified in rule 43(1). The first criterion is that the matter must be raised at the earlier

opportunity. On this point, it may be reasonable to assume that Senator Harb wished to consult the *Debates of the Senate* to ensure that he had indeed heard the remarks in question.

On the second criterion, that the matter must directly concern privilege, Senator Harb felt that the remarks affected him personally, seeing them as an attempt to silence him. In point of fact, however, nothing actually prevented the senator from continuing to speak in debate. If there was any problem with the remarks, it was more as to whether they were “personal, sharp or taxing,” to use the language of rule 51. As such, the issue may have been one of order, but was certainly not one of privilege.

Since this issue did not involve privilege, it is unnecessary to review the third or fourth criteria, and the ruling is that no *prima facie* case for a question of privilege has been established.

[Translation]

ORDERS OF THE DAY

BUDGET 2009

INQUIRY—DEBATE CONCLUDED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau calling the attention of the Senate to the budget entitled *Canada's Economic Action Plan*, tabled in the House of Commons on January 27, 2009 by the Minister of Finance, the Honourable James M. Flaherty, P.C., M.P., and in the Senate on January 28, 2009.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, this matter has been on the Order Paper for some time now. I believe that all honourable senators who wanted to speak to this matter have already done so. I therefore propose that the debate on this matter be concluded.

The Hon. the Speaker: If no other honourable senator wishes to speak, this debate is concluded.

[English]

CUSTOMS ACT

BILL TO AMEND—SECOND REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Kenny, seconded by the Honourable Senator Downe, for the adoption of the second report of the Standing Senate Committee on National Security and Defence (Bill S-2, An Act to amend the Customs Act, with an amendment), presented in the Senate on March 31, 2009.

[The Hon. the Speaker]

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

(Motion agreed to and report adopted.)

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

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave, now.

The Hon. the Speaker: Is it agreed that this bill, as amended, be read the third time now, honourable senators?

Hon. Joseph A. Day: Honourable senators, I thought the sponsor of this bill might be speaking. I had intended to speak briefly on the bill, as amended, now that the report has been adopted.

Senator Comeau: In that case, we will deal with it at the next sitting.

(On motion of Senator Comeau, bill, as amended, placed on the Orders of the Day for third reading at the next sitting of the Senate.)

VICTIMS OF HUMAN TRAFFICKING PROTECTION BILL

SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Phalen, seconded by the Honourable Senator Banks, for the second reading of Bill S-223, An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures in order to provide assistance and protection to victims of human trafficking.

Hon. Tommy Banks: Honourable senators, this item on the Order Paper stands at day 13. I am wondering whether we could expect Senator Dickson to speak to this bill before the item expires. Does my honourable friend have a plan in mind?

Hon. Gerald J. Comeau (Deputy Leader of the Government): I see that the honourable senator has raised two fingers. In two days, he will be speaking on the subject.

(Order stands.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

THIRD REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the third report of the Standing Committee on Internal Economy, Budgets and Administration (*committee budgets—legislation*) presented in the Senate on March 12, 2009.

Hon. George J. Furey moved the adoption of the report.

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

(Motion agreed to and report adopted.)

• (1520)

QUESTION OF PRIVILEGE

MOTION TO REFER TO RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT COMMITTEE ADOPTED

On the Order:

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

That the matter of the Government's erroneous statement concerning the proceedings of the Senate, as appeared on its website "actionplan.gc.ca", be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report.

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

An Hon. Senator: On division.

(Motion agreed to, on division.)

THE SENATE

MOTION TO AUTHORIZE THE STANDING COMMITTEE ON RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT TO STUDY THE APPLICATION OF THE CHARTER OF RIGHTS AND FREEDOMS AS IT APPLIES TO THE SENATE—DEBATE ADJOURNED

Hon. A. Raynell Andreychuk, pursuant to notice of February 12, 2009, moved:

That the Senate 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.

She said: Honourable senators, this motion stands at day 14, and I wish to keep it current and speak to it at a later date. It is the companion piece that covers some of the same area as Senator Joyal's Bill S-218, to which I propose to speak.

(On motion of Senator Andreychuk, debate adjourned.)

CONFLICT OF INTEREST FOR SENATORS

COMMITTEE AUTHORIZED TO MEET DURING SITTINGS OF THE SENATE FOR DURATION OF CURRENT SESSION

Hon. Serge Joyal, pursuant to notice of April 1, 2009, moved:

That, for the duration of the current session, the Standing Committee on Conflict of Interest for Senators be authorized to sit even though the Senate may then be sitting and that rule 95(4) be suspended in relation thereto.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO REFER PAPERS AND EVIDENCE FROM SECOND SESSION OF THIRTY-NINTH PARLIAMENT AND INTERSESSIONAL AUTHORITY

Hon. Serge Joyal, pursuant to notice of April 1, 2009, moved:

That the papers and documents received and/or produced by the Committee on Conflict of Interest for Senators during the Second Session of the Thirty-ninth Parliament, and Intersessional Authority be referred to the Committee on Conflict of Interest for Senators.

(Motion agreed to.)

(The Senate adjourned to Wednesday, April 22, 2009, at 1:30 p.m.)

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