

Ms. Coates Milne: Plant protection organizations in Canada and the United States are involved in a sub-committee of the Canada-U.S. Free Trade Agreement. There are several other technical barriers that exist between Canada and the United States that are being discussed through this committee, and through this committee we will resolve them and hope to possibly take down these barriers. Both Canada and the United States are involved in the protection of their plant-based industries. This piece of legislation will strengthen our industries so we will not be subject to technical barriers to trade.

Senator Hays: Are there any specific provisions of the FTA that require the passage of this legislation, or some part of it?

Ms. Coates Milne: No.

Senator Hays: Is there a cost-recovery element in this legislation?

Ms. Coates Milne: Yes, there is a cost-recovery provision within this legislation.

Senator Hays: Could you give me a brief description of what will happen once this legislation is passed and compare it to what the situation is now?

Ms. Coates Milne: This piece of legislation is a housekeeping bill. We have been in the business of protecting the plant-based industries in this country since approximately 1910. We are updating the provisions.

Cost recovery existed in the old piece of legislation. We are now clarifying as to what we do cost recover and what we do not cost recover. At this point in time we cost recover essentially fumigations, ship inspections, and some virus freeing of grapevines and apple trees at our post-entry quarantine stations in Saanich, on Vancouver Island. When we talk about cost recovery we are talking about a benefit to an individual. As a result of that, the individual is making a monetary gain and, therefore, the cost recovery will be directed only to individuals and not to the general public as a whole.

Senator Hays: One of the examples you gave, the fumigation of grapevines, is a service to an individual. He may or may not want this service provided, but there is a provision for cost recovery in any event?

Ms. Coates Milne: That is correct.

Senator Hays: This does not extend to inspections and so on?

Ms. Coates Milne: No.

Senator Corbin: Has there been consultation with producer groups—importers and exporters—with respect to this bill, which you referred to as housekeeping legislation?

Ms. Coates Milne: There have been extensive consultations since 1983. As a result of the review in 1983, of all the plant-protection programs within Canada, there was a recommendation that this bill be amended and updated. What you are seeing today is the result of these amendments and updates.

[Senator Hays.]

Senator Corbin: Have you entirely satisfied the people who have made representations?

Ms. Coates Milne: Yes.

Senator Corbin: They are quite happy with the net result?

Ms. Coates Milne: Yes.

Senator Corbin: Dr. Brightwell, what was the extent of hearings you had in the other place on this legislation?

Dr. Brightwell: We held hearings at the same time on Bill C-66 and this bill. The interest in coming before the committee on this particular bill was not very high. The groups that came before us were the Canadian Horticultural Council and the Canadian Federation of Agriculture. Their comments were that they were very satisfied that they had been consulted, and there was no interest in coming to talk about this particular bill. We had significant interest and a significant number of witnesses with the other bill, Bill C-66.

Senator Corbin: Were representations made on behalf of the potato industry?

Dr. Brightwell: Only in an umbrella situation through the Canadian Horticultural Council.

Senator Corbin: You have referred to the legislation as a housekeeping matter. However, the bill authorizes the use of force to enter a dwelling place. I question the housekeeping aspect of that. Is that a new provision? I am referring to clause 26 (1), (2) and (3).

Dr. Brightwell: Dr. Bill Weiler, a legislation officer for the Plant Protection Division, would be best qualified to answer that question.

Dr. W. Weiler, Legislation Officer, Plant Protection Division, Agriculture Canada: This bill is an attempt to standardize all the clauses in bills in the future. This is a provision to satisfy the Charter. If one has to use force to get into a place, then one has to follow the procedures outlined.

Senator Corbin: The procedure was previously authorized. Are you rewording it to accommodate the provisions of the Charter?

Dr. Weiler: That is correct. It is to comply with the Charter.

The Chairman: If there are no other questions, shall clause 2 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 3 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 4 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 5 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 6 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 8 carry?